

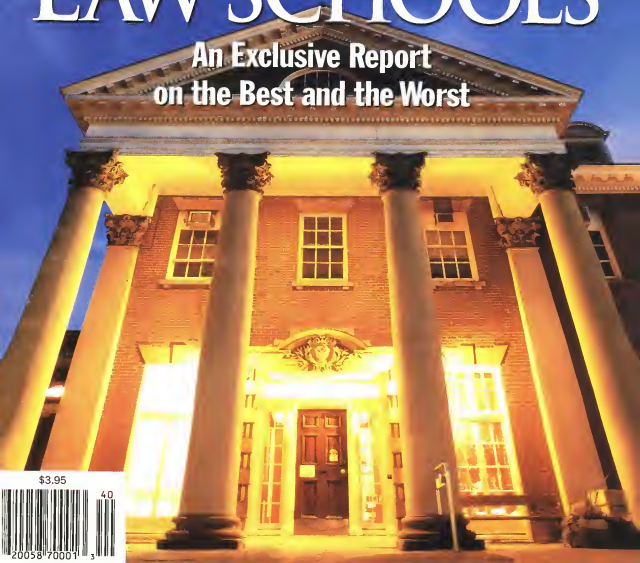
CANADA'S WEEKLY NEWSMAGAZINE

Maclean's

OCTOBER 6, 1997

JUDGING CANADIAN LAW SCHOOLS

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McGill looks rarely published on Margaret Laurence, Marshall McLuhan and Mary Pickford, and studies soon to appear of Marley Collingwood and W. G. Sebald, among others—there is a sharp increase in biographies of Canadian artists and thinkers.



From The Editor

'Lawyer, heal thyself'

Why don't lawyers not lawyers?
Answer: Professional courtesy.

Poor lawyers. Always the butt of jokes, always bearing the brunt of cynicism about fees. But never fear. Canada's 68,000 lawyers are doing very well, thank you very much. Softer of their challenge the cynical nature of this position: "Lawyer, heal thyself!" and we in the system

New Brunswick's leading McCaig family, and Molson-Brewer's is its right over the use of the Coors beer brand.

Judges in the real chambers are not oblivious to the ABA's work. Some resort to it as a required reference in their work. But Justice Binnie of the Ontario Court of Appeal noted in 1991, when he was head of Ontario's Law Reform Commission, "The public expects fearfully and finally to be served. 'Lawyer, heal thyself!' and we in the system



Dawn Johnston, Victor Dwyer, associate partner and Mary Dwyer, members of negotiating committee

One of the hot topics, as the front-line advocates of the 30 common-law schools indicate, is ABA—aberrant dispute resolution. It is the MBA of the 1990s. Most schools offer the specialty. The growing practice, however, also is an applied routine of the legal system. Rich and poor alike are finding the system too slow, too expensive and too confrontational. Professionals with a mere diploma or a BA in legal studies can resolve custody battles or labour disputes more readily than the hallowed court system.

Private firms also are proliferating in a bid to serve parties in conflict. Typically, Toronto-based ADR Chambers offers arbitration or mediation by a stable of 14 experienced jurists, including Charles Dubin, former chief justice of the Ontario Court of Appeal, and Wilfred (Bill) Ebert, a retired Supreme Court of Canada judge.

Business is booming in the rent-a-judge field. Warring parties can have their cases heard away from the prying eyes of the media, at lower cost, often getting a decision in 30 days. Among those who have recently gone the private dispute-resolution route are Richmond-based Omega & York Developments Ltd.,

cannot be heard to say that we are not rich enough to take the case." Her words suggest that the civil courts deserve their overages to the large constitutional and judicial questions, while recognizing that private dispute resolution could be settled outside the labyrinth of rules, paperwork, motions and complications the legal profession lives by.

There are increasingly important issues six years later at a time when the legal profession is under growing scrutiny and people are demanding a better way. The challenge for young lawyers leaving the law schools is to fill their registries while improving a system that increasingly seems out of touch with the citizens it seeks to serve.

Robert Lewis

Newsroom Notes:

Grading education

This week's special report on law schools represents eight months of work by a team of editors and researchers, headed by Assistant Managing Editor Ann Dowsett Johnston and Education Editor Victor Dwyer. It flowed out of the experience that the two editors, and associates Sandra Farnan and Mary Dwyer, have developed in producing the annual university ranking issue.

The project also was a clear response to students' requests that Maclean's expand its focus to include professional faculties. "Law was a natural choice," says Dowsett Johnston. "As a profession, it sits at the intersection of countless interests in our society. And as one law student put it to me, 'It tends to attract all those bright students who did well as undergrads and don't know what to do next.'"

In many ways, the law survey is much more than a ranking: while presenting an unprecedented collection of vital information on the schools themselves, from LSATs to class sizes, it is teamed with two major reputational surveys. In total, 9,567 questionnaires were mailed out to judges, lawyers and academics to canvass their judgment on Canada's 16 common-law schools.

In mid-November, the Maclean's team also will publish the seventh annual issue ranking Canadian universities. For the first time since 1993, all of the francophone universities have agreed to participate. In early 1998, the third annual Maclean's university guidebook will appear in bookstores and on newsstands, expanded and updated.

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Manning, 'outsider' ticking the media?

Political insider

I found it amusing that your cover would declare Reform party leader Preston Manning to be an "ultimate outsider" in the political world ("Preston power," Sept. 22). Is that the same Preston Manning whose father was the premier of Alberta from 1943 to 1959? Was he not a candidate for the Social Credit Party in the 1965 federal election? And did he not contribute to his father's book *Political Background*, arguing the case for a reform Turn party of the right to be called the Social Conservatives? ("Ultimate outsider?" Or how the humble Prime populist who moved into Stornoway pulled off yet another trick on the media?)

Bruce Gagnon
Edmonton

I was intrigued by the concern that Manning's religious beliefs would cross over to his politics. Everyone who runs for office has an agenda. Why is a religious agenda more dangerous than any other?

Iris Wilson
Mississauga, Ont. M5

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Church and school

Educational reform is turning out to be a spiritual process for us who live in Newfoundland and Labrador ("Back to the drawing board," *Canada/Education*, Sept. 19). In rural areas, the Catholic church and the school were the major class, and people were expected to obey or suffer the wrath of God. The church was and still is very instrumental in keeping women in their places and ensuring a class difference between rich and poor. The people have spoken, but the church insists on keeping them silent and servile. I want my son to get an education that prepares him for the world ahead of him and I want him to accept all respect for women and to recognize that males and females are capable of the same goals. Prejudice and differences do not need to be taught at the school level. I, for one, applaud the government's decision to proceed with change. The bugs can be worked out later.

Beth Lattin
Labrador City, NL

'Derogatory term'

Over the past four years, it has been the omission of our last, Great Big Sex, to prevent Newfoundland culture and tradition in a positive respectful and intelligent way. As such, we have frequently spoken out against the use of the term "Newfie," which many Newfoundlanders find insulting and objectionable. We were very surprised and embarrassed, then, to see the term used as a headline for a piece on the board ("Times with a 'Newfie' attitude," *People*, Sept. 14). Alan Doyle was even more surprised to see a derogatory term he never used inserted in to one of his direct quotes.

Alan Doyle, Ed. Mather, Sean McGinn, Gerald Pease
Great Big Sex
St. John's, NL

The poverty solution

The secondary headline of the information article "The roots of failure" (*Education*, Sept. 22) concludes that "Two new studies link poverty and illiteracy." Too bad this is old news. Instead of proposing alternatives that eliminate poverty, the article cites government programs that support early childhood education. Unfortunately, the influence of poverty doesn't end with

Reform's religion

The story on Preston Manning was a fair and balanced piece of journalism. What a refreshing change from most of late. Though as far as life's message, I found it somewhat ironic that a comment attributed to Mummy Dobbin of the newsletter *Reform Watch* and intended by him to be a compelling criticism of Manning is, in fact, a compliment. Dobbin is quoted as lamenting that "everything about Preston Manning flows from his religious beliefs." Those who continue to perpetuate the antiquated notion that the voices of committed members of all religious faiths have no place in our political debate betray their own complete lack of understanding of not only the Christian Gospel, but also the guiding principles of all the major world faiths. The committed Christian has the obligation to stand firmly on the side of the oppressed and the victim. Often, this will have political ramifications as the status quo is challenged. Let's put an end to the self-serving notion that the principles of our faith have no place in reforming the national political agenda.

Rev. David M. Pothier
Janes, Ont. K9

the start of grade school. Rather than poor minority education programs as an all-tempt to improve literacy we ought to be finding ways to address the root cause to attack the disease rather than the symptoms. To paraphrase Einstein: "The old solutions got us into this mess; we'll need new ones to get us out."

Brendy Boudreau
Calgary, AB

Asking for charity

The article on "The charity industry" (Special Report M7, *John Brynne's*) is an editorial supporting M7 John Brynne's belief that the sector is rife with "mismanagement and abuse." People such as Patrick Johnston of the Canadian Centre for Philanthropy who can offer informed opinion that directly contradict this viewpoint are given had a short time, while the bulk of the piece offers unsupported assertions that not just a few but many charities are run by corrupt, call it, miscreants or all three. You do note that there are no standard plans for calculating the proportion of revenue spent on programs versus administration, but then proceed to suggest that the lowest marked of your 20 specimen charities are wasting money due to their apparently higher ad

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Healthy Bites

Protected kids are healthy kids

Immunize your kids on time, even time! That's the message from the Canadian Public Health Association, the Canadian Paediatric Society and



Canadian Medical Association, and Health Canada. They've launched a National Immunization Awareness Program to remind parents that children need to be immunized if they are to be protected from many serious diseases. To boost your kids' chances for health, follow immunization schedules to the letter and make sure your kids complete their full course of shots.

Who's allergic?

We don't always know ourselves as well as we think! An item in Women's Health Month from the Women's College Hospital in Toronto reports that most people who believe they have a food allergy don't really. Although only about two percent of adults and four percent of children are truly allergic to a food or food, surveys indicate that 50 to 50 percent of people think they are. This may be partly because anxiety symptoms are sometimes mistaken for allergic reactions. At the recent international nutrition conference in Montreal, it was reported that food allergies can only be confirmed in about 30 to 40 percent of people who consult doctors for that reason.

From the Dairy Bureau of Canada

Bioavailability is the operative word

Food labels don't always tell you what you need to know. For example, just because a food contains minerals doesn't necessarily mean you can actually benefit from them. Bioavailability - the portion of a nutrient that is actually used by the body - varies, and plant foods are often likely to contain minerals that are poorly absorbed. For instance, only a few non-dairy foods are naturally calcium-rich and of those that are, most need also to contain other substances that can interfere with the body's ability to absorb calcium. That's why the American Council on Science and Health, in a recently released report on vegetarianism, states that vegetarians who consume the daily recommended amount of milk products (two to four servings) are more likely to get enough calcium than those who avoid dairy foods.



MOOOORE GOOD NEWS ABOUT BUTTER!

You like butter better, but use margarine because you think it's safer for your heart, sound familiar? If it does, you should know that at least three recent major studies (one, a 21-year follow-up from the famous Framingham Study in Massachusetts) have linked hydrogenated margarine, but not butter, to an increased risk of heart disease.



THE MAIL Patient mistreatment

It wasn't a great admirer of Quebec Premier Lucien Bouchard, but I question the ethics of federal Liberal MP John Godfrey asking for a psychiatric report on a politician whose policies are anathema to the Liberals ("The Bouchard file," Cover, Sept. 2). I question even further the validity of a report by a supposedly respected psychiatrist, Dr. Vivian Rakoff, who has not even met the "patient" he is analyzing and who based his findings on media reports, some of which are clearly false or inaccurate. We know that Bouchard has had a mercurial political life. But surely we should object to the tactics used by Bouchard's opponents in discrediting him.

Rebecka Joss
London, Ont.

From time immemorial, history and recorded legends have shown us many who have changed their allegiance to family, class, religion and political party to suit their personal aims, whether for greed or honor. By slandering Bouchard, we only play into the hands of hard-core separatists.

Cory P. Anagnostis,
Burlington, Ont.

Limited access

While the budgetary and programming changes taking place at CBC Radio may seem significant, the one real change that should have taken place years ago will probably never occur: a real scaling back of the expansion of the stereo network, now CBC Radio Two, to cover the same territory as CBC Radio, now Radio One ("Radio renovation," Media, Sept. 1). Hearing CBC Radio announcements promote content programs on CBC Stereo, which are unavailable in many areas including mine, is truly irritating. By limiting radio access to classical music, drama, opera and discussions of cultural affairs to urban areas, which may already be well served by live music and theatre, the CBC is continuing to foster the belief that serious art is an elitist pursuit intended only for an exclusive audience.

Harold Gosselin,
Wood County, N.S.

I feel I have to respond to the letter sent by Duwayne Jobas with respect to the relatively large number of CBC staff needed to produce the new CBC Radio show *This Morning* ("Radio dose," The Mail, Sept. 8). Jobas should realize that *This Morning* is a program that requires thought to produce, since it incorporates news and topics from the entire country. It speaks of radio stations across Canada that require less staff to run for 24 hours a day, seven days a week. This is possible because most radio stations

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Paul S. Brundish
North Bay, Ont. 86

Costly agreement

I read the article on the Multilateral Agreement on Investment for should I find that "agreement" a couple of times and came to the same conclusion. ("Playing the politicians," *Environment*, Sept. 13.) Are we Canadians and our government totally foolish? No wonder Bushford and his clique want to jump ship. Whether NAFTA has been good or bad for Canada is debatable, but the further erosion of multinational corporate power and intrusion on a country's sovereignty is appalling. Prosperity (i.e. profits) at what cost? Loss of sovereignty? Further destruction of the environment? Taxpayer subsidies to companies like Ethyl Corp.? Any politician or government even considering this should be kicked over by Dr. Wreck. There we would see who is really certifiable.

Dan Gallagher
Brampton

Faith and leadership

Quoting Peter C. Newman ("Pope John's Message and the religious issue," *The Nation's Business*, Aug. 11), Pierre Trudeau, Joe Clark, John Turner, Brian Mulroney and Jean Chrétien — none of the PMs allowed religious beliefs to determine their actions or policies. "Has that led to the mess we are now in? What kind of religion is it that does not affect one's actions?"

Morris Faith Wolfe
Ottawa, Ont.

Splitting incomes

I read with a great deal of interest the letter from Charles Van Wagner ("Discriminating against taxpayers," *The Road Ahead*, Sept. 18) advocating that couples be taxed on their joint income, rather than as individuals as now is the case. The main reason middle-class society is worse off today than 20 years ago is due to the substantial increases in taxes that have occurred at all levels of government. At the same time, most, if not all, provinces today specify that property and other assets accumulated during a marriage are to be shared equally upon the dissolution of the marriage. Why then does the Income

Tax Act not recognize this principle by continuing to treat each spouse as if each were a single person? Governments in this country should recognize that family units are a part of society, and the tax system should ensure that partnership. Allowing spouses to split their incomes for tax purposes would be a giant step in that direction.

Dean Fraser
Winnipeg 86

If Revenue Canada were to tax couples on their joint income, the definition of "couple" would have to be closely examined, as the tax system would continue to favor those individuals, such as two sisters or merely a couple of friends, who choose to share a household. Rather than switching from one discriminatory system to another, a better solution would be for the single-income couple to split their single income equally, with each being taxed separately as the two-income couples are at present.

Wayne Baker
Brampton, B.C.

The road to NAFTA

Your article "Highway lobbyists" (*Business*, Aug. 25) raised an important issue, but you may have spent too much of the life lessons of the road scape. What is involved with the creation of North American Free Trade Agreement superhighways is not, as Transport Canada suggests, simply providing responsibility over them as much as in national economic development. The original outside belief NAFTA businessmen was that it guaranteed Canadian access to American markets. As Washington has already recognized, however, simply having such theoretical entry is of scant blessing if the necessary transportation corridors are not in place to allow market access. The rate of potential production techniques has made the availability of dependable and efficient transportation a prerequisite for a strong economy. In the short term, directing Transport Canada to participate in the creation of a NAFTA superhighway would result in increased employment in the construction sector, and in the longer term, a coordinated effort to place Canada squarely in the trunk transportation corridors of NAFTA would not only allow local firms to take full advantage of the opportunities offered by NAFTA, but would encourage the creation of new businesses. The danger is, as you point out, that Ottawa will remain "countable" watching from the backseat. Unless Chrétien takes the wheel, there is a very real possibility that Canadian industry could be excluded from more than key NAFTA transportation routes, increasing the likelihood that NAFTA doomayers will be proven right.

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Column



Barbara Amiel

How gender politics threatens freedom

In not certain it was official, but last week seemed to be prostate awareness week in the United States. There was the glacial heir of Bob Dole on the TV set in his puffy post-political being, joking that he was the prostate problem boy. I paid to see not in his adventures for Dole's courage in the face of constant pain since his wartime injuries, but his revelation of reproductive organ disease was not one of his finest moments. In the course of prostate week, ABC television news related a telling sidebar last year the amount of money spent on prostate cancer research in the United States was \$40 million. For breast cancer it was \$250 million and for AIDS \$1.6 billion. In the United States, it was approximately 43,000 the annual of prostate cancer, which is just about the same number as those dying of breast cancer. The recent

settled by plea bargain. A male sportsman had been accused by his girlfriend of forcible sodomy and assault and battery (speculatively having her). The judge ruled inordinately heavy evidence about her past sexual practices, including upon the question whether or not, in their 10-year consensual relationship, the lady did or did not like to be bitten. Similarly, he ruled it irrelevant whether she had a history of trying to tell lackadaisical people when their relationship was ending.

This is status-based law, i.e. law based entirely on one's status as a woman. In any other criminal proceeding, history directly related to the complaint would normally be inadmissible as "unduly relevant"—but if one enjoys special status as a member of gender group A, this becomes irrelevant. No wonder the sportsman plea-bargained. One can only imagine what would have happened to Mr. Bobbitt if he had cut off the breasts of his wife while she slept.

The revision to status has manifested itself in many different ways, privileging the growth of status. Statutes, in which government expands into every personal, business and social arrangement of our lives, flows on status rather than contract because individual rights are its greatest enemy.

The main enemy facing a free society today is this revision to status. By now, all parties of the political spectrum agree that socialist centralism is as dead as a doer. Even the left talks about deficit reduction while the leader ship is Chinese sounds, econometrically speaking, like J. P. Morgan.

But the victory of capitalism over socialism does not in itself amount to a victory of individual freedom over the corporate state. Capitalism and free enterprise have co-existed with socialism. Today, socialism has merely shifted from the left wing variety to the right-wing mode. Unions Premier Mitterrand is in the right place, for example, but his methods are crude and limited: he uses a state to cut off a private. This attempted health-care reform is an example of right-wing status and a reversal from contract to status. This solution to cut costs by measures effectively treating a new doctor's choice of where to practice or simply eliminating services will give consumers as bad a choice as the NDO gave to socialism.

One has to look at the causes not simply the symptoms—the virus not just its plagues. We need a society in which people are free to choose private health care and when we can have private medical insurance. We need a climate where, as recently happened, a Canadian does not have to go to China to build a private hospital but can do it freely in this country. We need, in Mitterrand's delirious, jargonist—that is, a society that respects thinking of citizens in terms of the status according to class, power, position, gender, sexual orientation or victimhood, and renews the value of individual liberty.

One can imagine what would have happened to Mr. Bobbitt if he had cut off his wife's breasts while she slept

It appears that Barbara Amiel's premise of "a government of the people, by the people and for the people," isn't quite living up to billing. Our political agendas seem to be primarily concerned with the gender and sexual orientation of special interest groups rather than with all the people. Which brings to mind, well, the imagery of Sir Henry St. John Mordaunt (1822-1888), grandmaster of conservative jurisprudence at Oxford and at civil law at Cambridge.

In his seminal book, *Ancient Law*, Mordaunt defines progress as going from "status to contract." That phrase is key to understanding what is happening today. In early societies, Mordaunt argued, people were born with a status that defined just about everything that took place in their life. Status began with family rather than with the individual. Status at birth determined whether a person would become rich or poor, railroad or lawyer, a prince's bride or a washer woman. As we progressed, status was replaced by contract, which meant that individuals agreed among themselves to various roles and duties they thought would be of the most benefit to themselves, and negotiated the best deal possible.

This magnificent shift from status to contract in the free world dismantled the class system and replaced it with the flexibility of democracy, meritocracy and so on. But over since the early part of the 20th century, this process has been reversing itself. Both communism and fascism stressed status. In the Marxist model, one was either a member of the oppressed working classes or an exploiter. Nazis adopted a world order in which people were Aryans or non-Aryans. In today's model, one is either a member of preferred gender group A (lesbian) or of greater group B (gay), one is either a member of a formerly disadvantaged group benefiting from affirmative action and pay equity or a group penalized by both.

Examples abound; last week, in a may court case in Virginia was



Received 20 July 2004; accepted 10 November 2004

Among Quebec's political and business elite, who is strong and who fleeing is of vital importance. Now the rumor mill has turned to the rich and powerful Broadman family. The catalyst was the recent departure of Tom Awonkey, who for the last 13 years has been executive director of Charles Broadman's CIBC Foundation, which produces Heritage Minutes for TV and movie theatres and supports a variety of charitable causes. Awonkey's move from Montreal to Toronto—is open another office for the foundation—set off widespread speculation that Broadman might be leaving, as well. But Awonkey, the younger brother of Foreign Affairs Minister Lloyd Awonkey, is trying to downplay any such implications. He says the foundation's head of its mission in Montreal, where he has taken a small apartment the day or two each week he expects to be there. And it was his wife's work, he says, that prompted their move. "Alberta," Awonkey says, "has a lot of things that are certified to be in tune with my wife's interests. And her position is the *de-facto* one in my position, that the Broadmans, with their grown children and their business interests, are leaving Montreal altogether. "They have personal families," he says, "which have nothing to do with Quebec."

Accordingly may have a point. Broadman is co-chairman, with his brother Edgar, of New York City-based distilling giant Seagram.



Co. Ltd., whose holdings include Los Angeles-based entertainment conglomerates Universal Studios Inc. And Charles Riedman's Chicago-based, a TiVo Holdings company, has become one of this country's hottest companies. Not surprisingly, then, Riedman and his wife, Andrea, are rarely in Montreal. While they keep a residence there, they now divide most of their time among houses in Jerusalem, Palm Beach, Fla., and New York, where they bought an apartment near Central Park more than a year ago. Apparently, this place, a Riedman intimate says that he applied for the baseball commissioner's job, a position headquartered in New York. Montreal may still claim him, but Riedman is a man of the world.

The costly, red Tickle Me Elms didn't stop popping months ago. And with the help of some school boards which banned the Torggisch and its imitators, the summer's virtual pet, once has peaked. But Beanie Babies—now there's a fad that lasts, and many adults can hold their own with them. The colorful, cuddly creatures—essentially hair-cup bean bags, which come in 80-plus varieties—normally sell for about \$5 each. And they have been so hot for so many months that Beanie Babies have become a fairly respectable item in some parts of the country. Some Vancouver stores, for instance, have

customers waiting for the new shipment, and a black market has developed. The Internet has Beaver Baby Web sites, where disappointed customers can buy the white Polar bear for \$400, and Humphrey the Carmel for \$600. One of the hottest and most enduring Internet fads in Maple Borneo—a white bear with a Canadian flag on its chest—has also taken off. It is particularly coveted by the censure because they cannot buy it in the United States. In east Vancouver, B.C., Family of Accidents, a company that has made a fortune selling Maple Bears for \$150 each, Bill Marlow, vice-president of distributor Ty Canada Inc., says the Chicago-based company was not prepared for the huge demand. "We're selling some here, but... it's a hell of a beast."



A pair of officers in Florida to combat international terrorism, the RCMP has officers stationed at 20 points around the world. But the Moscovite recently assigned to Moscow received a specific introduction to Russian customs when he last anticipated the country's requests for assistance. The RCMP officer, who had never been assigned—arranged to have a personal vehicle shipped to the Canadian Embassy in Moscow "It's a climb at a grey 1903 Plymouth van," he says "I figured it would be perfect transportation for Moscow." It was one—for someone else. Soon after the van arrived, one of the embassy's Russian employees, a woman, was seen to get into the van and jacked up Russian border plates. But he had a stop filling out forms—and report the van sold from his parking spot inside the police station. "That's the routine," says the RCMP inspector. He heard that there was hang around near the embassy office looking for dirty targets. Now, as he works with local police on an investigation into the assassination of a Russian diplomat, Moscovite's still seems to be on his way.

When Quebec writer Fabrice Larouché developed the idea for a television series about three photographers, the genre seemed how typical the subject matter would become. "I thought it was a nice title," says Larouché of *Les photos*, a 20-part drama that airs this week on the French-language private TV network, where the word used to describe a brief of work is *photos*. The series also appears less palatable to the original sponsors of the series: Jean Coutu Group, a Quebec-based pharmacy chain, and Videogroup Canada Inc., both withdrew as sponsors after Doris, Princess of Wales died in a fatal crash in Paris on Aug. 31. Police are still investigating whether the princess played a role in the accident. Jean Coutu Group, which will redirect its advertising to other new slots, also scrapped its plans for promotional campaigns including making photographs to send in for prizes or instant pictures \$100. Videogroup will go on as scheduled. Local Videogroup outlets will run some commercials during the series, and Larouché says other subscribers are interested. But she is not willing to predict what impact the controversy surrounding the princess will have on the ratings. Larouché, 36, who cowrote the series with Robin Gosselin, a partner at the daily *Le Devoir*, says he will present the series to question whether public figures are entitled to a private life.

Celine Dion's legions of fans will have no short age of reading material this fall. Three books—two in French, one in English—on the barely successful Quebec pop star are slated to hit bookshelves in October. But anyone looking for tantalizing tidbits that might detract from 25-year-old Dion's persona as the bravely, unpretentious girl next door may be disappointed. Kingma, the famed Quarry Press publisher, has opted for a more straightforward, if not downright boring, approach. *Following into You: The Story of Celine Dion*, by local author Barry Goss, "is not a book of revelations. It's a book of celebration." Says publisher Rob Hickman: "There is no scandal to be discovered; there are no ghosts in the closet." As for the other



FIXATION

1. *Ally's Fring*, *Cosmo* (March) (2)
2. *Ray's Verdon*, *Wired* (Feb.) (2)
3. *The Underdog*, *Spin* (May) (2)
4. *Party Bachelors*, *Spin* (Oct.) (2)
5. *The End of the Road*, *Entertainment Weekly* (May) (2)
6. *Where the Hell Are You?*, *Rolling Stone* (2)
7. *DEA Hunt*, *Rolling Stone* (2)
8. *Samuel*, *Entertainment Weekly* (2)
9. *Whore with Me*, *Rolling Stone* (2)
10. *Angel of Badness*, *Cable News* (2)

IMPOSSIBILITY

1. *The Rapist*, *Rolling Stone* (2)
2. *Angela's Ashes*, *People* (Nov.) (2)
3. *The Man Who Lived in Fear*, *Movie Weekly* (2)
4. *Little Fish*, *Rolling Stone* (2)
5. *Born, Born & Born*, *Rolling Stone* (2)
6. *Small Step*, *Rolling Stone* (2)
7. *The Wreckage*, *Entertainment Weekly* (2)
8. *The End of the Road*, *Entertainment Weekly* (2)
9. *The End of the Road*, *Entertainment Weekly* (2)
10. *The End of the Road*, *Entertainment Weekly* (2)

1. *Phantom* (2) 2. *Phantom* (2) 3. *Phantom* (2) 4. *Phantom* (2) 5. *Phantom* (2) 6. *Phantom* (2) 7. *Phantom* (2) 8. *Phantom* (2) 9. *Phantom* (2) 10. *Phantom* (2)

For her new children's book, *Cock-boss Tarantao*, artist Jenna Martin travelled to Japan, where she did extensive research into the ancient tale on which it is based. Martin's 35 paintings of 10th-century Japan colorfully illustrate her modern adaptation of the story of the Mice Princess and the Emperor.

APPOINTED: Four new members to the Senate, by Prime Minister Jean Chrétien, in Ottawa. The appointees: former Liberal MP **Fernand Robichaud**, 58, of Shepparton, N.B., who gave up his Commons seat so that Chrétien could re-enter the House after becoming Liberal party leader in 1990; **Catherine Calbeck**, 58, of Central Quebec, P.E.I., the former premier of Prince Edward Island; **Sister Mary Alice (Peggy) Butts**, 73, of Antigonish, N.S., where she was co-ordinator of social action for the diocese; and **Manuel**

Fernetti Bardi, of Montreal, executive director of the Italian-Canadian Senior Citizens Association. In order the Bolds, a Roman Catholic nun who took a new of poverty 40 years ago, could meet the Senior requirement of having \$4,000 in "total and personal property," her Montreal-based order transferred some scribbled in the Afghanistan area into her name. The four appointments give the L.beris a four-seat edge in the Senate over the Conservatives for the first time since September, 1990.

DIED: Folk singer and actress **Hélène Bellerophon-Côté**, 81, of a heart attack, at her Montreal home. A 40-year veteran of CBC Radio and television, she was best-known across Canada for *Cher Hélène* (1968-1973), which introduced anglophone pre-schoolers to French.

COMMISSIONED: Vancouver artist Graham Carbet, 31, to do a posthumous portrait of Glance, Princess of Wales, by the London-based Royal Society of Arts. The portrait, which will be presented to prince William and Harry on Dec. 15, is Carbet's third work of art for the Royal Family.

JUDGING CANADIAN LAW SCHOOLS

Law is almost unparalleled in its flexibility—a passport to power, or a ticket to lobby for societal change

BY ANN DOWSETT JOHNSTON

In Monday, barely 9 a.m., but the parade of would-be lawyers has already filed down the marble stairs and assumed their positions. Students may have sipped into submission, highlighted, and culled at the ready the class of 2000 is seated for instruction—and a lively discussion of *Isuchanting*. Welcome to Karen Knapp's first-year property class at the University of Toronto, where, on this golden September morning, the professor will focus her fire on the famous case of *Person v. Post*, 1805. At issue: the ownership of "a wily quadruped" that Mr. Post has pursued with his hands, only to lose the animal to "a sneaky intruder," former *Person*.

Confident as a drill sergeant, Knapp leads her group through the case, steering them through sticky issues of ownership, through historical precedents from *Jurisdiction to Groucho*. "What is possession and what do we want to reward by that statement? What is fair to let *Person* win?" she asks them. Silence, as they wring at the window. "We all know that life isn't fair," explains one. "Isn't the judge making a class-based decision?" asks another. Knapp grins. "If ever there was an act to engage discussion of class distinctions, it is *Isuchanting*." A raised hand. "I know we're just in our second week, but is there an accepted rule that judges use to decide what liberties they can take?" Knapp pauses. "The short answer is no."

As Knapp's students make their first attempts at cracking the legal code, members of the graduating class are being groomed for the courtroom. In just one week, Justice Beverley McLachlin of the Supreme Court of Canada will

fly in from Ottawa to preside over their Grand Moot, gazing down from the bench through her spectacles at serenate their performances. The nine law school will be watching a standing-room-only crowd. But for the moment, Gabrielle Pop-Lau Schappert, having taken a final sash of her *Five Alive*, is rising, in green pants, to make her submissions in her first practice run-through. She has 20 minutes to make her appeal on behalf of the Crown, asserting that the fictional Mark Jarvis had committed an assault on the fictional Basilerra Allen by seducing her with HIV through unprotected intercourse. Standing before her mock judge, her hands shake slightly as she makes her opening statements, but her voice is clear and sure. "Good evening, my lord, my lady," she begins.

Like most of her third-year classmates, Pop-Lau Schappert already knows where she will be articling come June. As one classroom joke: "You're looking at the highest concentration of people under 30 who know they have jobs 12 months in advance." That Pop-Lau Schappert, now 33, already had a master's degree and a satisfying job when she chose to apply to law school, and she aspires to more than mere employment. "I find the whole notion of advocacy appealing," she says, "of being involved in identifying and supporting people's rights. This may be somewhat idealistic, but I hope that there will be a moral high ground, whatever I end up doing."

Cynics scratch your heads. Yes, the public's opinion of lawyers is at an all-time low: in terms of respect, only politicians rank beneath them. And it would seem that even lawyers themselves don't like new lawyers. In a

recent survey conducted by the Rogers Reid Group on behalf of the Canadian Bar Association, lawyers agreed that the two greatest issues confronting the legal profession were the number of new lawyers and the downward pressure on legal income. "The good news is that the demand for legal services is going to grow over the next 20 years," says Reid. "The bad news is that one will become increasingly important. A handful of super-lawyers will earn more money than God, but the average graduate faces a somewhat bleak future. Let's face it, when you can do your own will on a computer program, law is pretty accessible."



Anshus believes that law schools keep the profession 'off-balance'

But is that such terrible news? In David L. Weimer's opinion, the deprofessionalization of what he calls "lurid pedestrian legal activities" represents a liberation of sorts. In fact, the former principal of McGill and chairman of the federal government's Information Highway Advisory Council, argues that there has never been a more exciting time to begin a law career. "Yes, it's possible to get information on the Lane Frances Act over the Internet and not pay an exorbitant fee," says Weimer. "Lawyers should be very quick to give away that activity and move quickly in how they function in our society. As legal professionals, we have a chance of leading this transformation from the information society to the knowledge society—or becoming increasingly redundant."

In fact, what no computer program can replicate is the role that Pop Lane Schlegel is bringing to his career. Barry Anshus, former dean of Osgoode Hall Law School and president emeritus of York University, believes that and is one of the most precious commodities in the legal world—and one that is hard to preserve. Classifying the profession for its "ambiguity and mystery to accommodate the traffic needs and good aspects" of new graduates, Anshus is working about the article's mission, which he describes as "the acquiring of suitable attitudes—aggressiveness, consciousness of reality, deference to hierarchy—all the things you need to succeed."

Not surprisingly, Anshus is unsympathetic to the financial woes of the profession. "There is a God," says the professor, "and right now he is punishing rich lawyers." So, what is right about the system? "Law schools are performing a critical function in keeping the profession off-balance so that they don't forget that

what they're doing has big social consequences. The schools use it as their means to transitory attitudes and behaviors, to get lawyers to focus on the important issues, how do the rules work and how can you cushion their adverse impact on people?"

Pop Lane Schlegel could do worse; this speaks to John Harvie, a Winnipeg defense lawyer who mounted a one-man crusade on behalf of an 18-year-old aboriginal woman last spring. After a night of drinking and drugs, she and a local gang member had held up a Winnipeg career store. During the robbery, she had held a pointing knife to the cashier's neck. When the gang member yelled, "Sit her throat," she had instead pulled the knife across, using the ball eye. The Crown charged her with robbery and asked for three years. "This would have meant sending an 18-year-old, with no previous record, who grew up on a northern reserve, to Kingston," said Harvie. "It's no place to start a life—she would have come out of there a cretin." Harvie believed that a sentencing circle was the most appropriate way to deal with the case, but the Crown was vehemently opposed. He spent weeks applying to the court to have his motion. "There are recent precedents to the Criminal Code that say that particular attention has to be paid to the circumstances of aboriginal offenders," says Harvie. "But there's a fair amount of resistance in putting those changes into procedure. I had to fight for a day in court to make my point."

In May, the Crown reduced the sentence to two years less a day, and the one-day circle was held. Based on the notion that the circle of a community is broken by crime, its aim was to reincorporate the accused to make the circle whole again. The accused, her family and police—acting as representatives of the Victims Assistance Program—appeared for what Harvie calls the most gratifying, emotional day he has ever spent in court. In the end, she was spared a jail term and was sent back to her reserve, on an 18-month conditional sentence, to be followed by two years of probation. "If there's any chance we're going to break out of the jail-as-warehouse model," says Harvie, "we have to use different tools for restorative justice. But it took me years to understand that I could make this happen. If something rattles you, you can actually do something about it." For the class of 2000, these are words to live by. □

ONE CUSTOMER AND THE PURSUIT of a GOAL

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MACLEAM'S LAW SCHOOL SURVEY: For several years now, Canadian students have been encouraging Maclean's to survey professional programs, offering information beyond the undergraduate years. And so it was, last year that the editors decided to begin with an in-depth look at law schools. Why law? As a profession, it sits at the intersection of society's interests in our society. As a degree, it is almost unparalleled in its flexibility whether as a passport to power and privilege, or the ticket to lobby for social change.

More than eight months of intense effort have gone into this

survey, which begins on page 30 with "The Grad Report," a sampling of recent graduates on the quality of their alma mater. As well, Maclean's asked judges, lawyers and academics to comment on the quality of individual schools. Meanwhile, editors sent a seven-page questionnaire to each of the 15 common-law schools, gathering a wide variety of vital information for the prospective student. Where are the brightest students and those with the highest LSAT scores? Where are the smallest classes and the richest libraries? The answers are right here. **A.B.J.**



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McGill's David Ma (left), Tracy Downeswell, Kibbe Kesteloo: competitive

Privilege and Pressure

BY VICTOR DWYER

Even on a campus renowned for its architecture, the four imposing mansions that house McGill University's faculty of law are dauntingly impressive. Their location on stately Peel Street, just a stone's throw from the core commercial bustle and gritty grit of downtown Montreal, only underscores their look of studied remoteness to the world outside their iron gates. But just inside the largest of the four, wedged in a spacious paneled common room, first-year law student Martin Valasek makes it clear that the outside world is on his mind. "This is an exciting and rewarding place, but it's very tense, too," says Valasek, who has an undergraduate degree from Harvard University. "Picture 200 Type A personalities, each thinking about life after law school, and each knowing that we've spent six months as a team; it can be a truly terrifying experience. Popcorning has conversations with terms like 'lawyer ghst' and 'dualist here-back-must' and," he completes the thought, "Law stu-

dents are a very privileged group—we all know that," says Valasek. But the pressure begins on the first day of class and it does not seem to end.

Privilege and pressure: They are two words that, as well as any, sum up the mixed world of Canadian legal education—and the light and dark lines of those who have managed to secure a place within it. Certainly there is no denying the privilege.

Only a small minority ever make it through the day. Once inside, they are given the tools to translate their broad skills into an excellent income: impressive connections and considerable job satisfaction. But neither is there denying the pressure. As Valasek implies, Canada's law schools can be intellectual sweat shops. And political minefields, too, even by drop downs: between students determined to challenge and even mislead the justice system, and those who want simply to carve out a comfortable career within it. And if law school can be tense, the profession is even more so, as furious as the 1990s for its lack of job security as

or its time-honored and punishing workdays. "If there is one constant in the practice of law, it's hard work," says lawyer Rosalyn Bashara, who runs the Vancouver firm Bashara & Co. "I see many young lawyers who are talented, who know the law, but who just don't have the perseverance to work full-out all the time. These days, doing 30 per cent isn't enough."

But for all the combat, uncertainty and toil, the 6,000 students at Canada's 18 common law schools can count themselves among the better off. At many schools, four out of five who apply to take a LL.B. degree are turned away. Many institutions require a solid average and a score in the top 30 per cent of those who write the law School Admission Test (LSAT). And demand is growing as it more heated. Deans everywhere describe a sharp rise in the number of graduates applying from the hard sciences, as well as those with master's degrees and PhDs. At the University of Victoria, student pressure has pushed up average external grades 0.5 per cent and LSAT scores by almost 15 per cent in just 10 years. "The competition," says Dean David Cohen, "is fierce."

Once on the road to a degree, students are looking forward to a good shot at a cozy wage. A recent survey by the Law Soc-

ety offering students the chance to take home double-barrelled credentials—starting up with other faculties to offer joint degrees in everything from environmental studies to international relations. At several schools, including Toronto, Dalhousie in Halifax, Ottawa and York's Osgoode Hall, up to a third of students now achieve a simple law degree, getting in an extra year at the faculty of business to earn the formidable LL.B./MBA. Cindy McLean graduated with just such a degree from Ottawa in 1992, and now manages the litigation department at computer software giant, Corel Corp. in Nepean, Ont., where she also advises the company on broader areas of corporate strategy. "I make legal decisions," says McLean. "But I am also involved to weigh in on the risks and opportunities involved, and to have a real voice on the bigger picture."

Law can also pave the way to a different kind of power—the power to advocate, quite literally, for important social advantages and social changes. Just 10 km from Corel's headquarters, Philippe Lawson, who graduated from Queen's in 1989, is co-chief counsel to the Public Interest Advocacy Centre. "In terms of lifestyle, I have never been interested in the high-powered road," says Lawson, who has gone to bat for, among others, the National Anti-Poverty Organization, the Canadian Seniors Network and the Consumers' Association of Canada. "In the private sector, most lawyers have to take the work that comes to them," says Lawson. "For me, job satisfaction comes looking like I'm on the right side of things." But if a law degree can provide the entrance to a lucrative and satisfying life, it is also a life of substantial effort, grueling stress—and, occasionally, naked terror. And it all begins long before law students head into their first moot court. Along with the need to produce those stellar memorandum transcripts, law school applicants must sit the LSAT, a three-hour examination of mind-bending word games, math exercises and writing skills. Once at law school, students face a highly competitive atmosphere where, say away, the primary law that applies is that of the jungle. "I see very high levels of individual acce-

ptation," says McGill law professor Patrick Gleason. Among the evidence, an increase in vandalism, as students tear out the pages of library books to gain an edge on their peers. Then there is the workload. In first year, course offerings are demanding, brutal—and, some, brazenly boring: property law, administrative law, contracts, torts. And on the brink of an end-of-year degree that has become increasingly expensive, students face three more years of rigorous study, with the usual odyssey on tuition, books and living. A survey conducted in 1990 by a three-member student committee at the University of Toronto found that 28 per cent of law students brought debt with them into law school—compared with just 15 per cent two years earlier. According to the survey, the average law student planned to go \$18,000 deeper into the red before finishing their course work and heading out to work.

And while virtually all students are able to secure arduous positions—the mandatory 12-month apprenticeship that collectively constitute a fourth year of law school—in 1995 only 30 per cent of graduates in Ontario were offered a follow-up job with the same employer, according to a survey conducted by the



As law, shapes the shape of legal education

Law Society of Upper Canada. Just eight years earlier, the figure was roughly 50 per cent. Such bare-bones rates, as they are known, are a bellwether of employment prospects across the profession. Not uncommon is stories like that of Kevin Thompson, a University of Toronto graduate called to the bar in 1990. When his arduous first year, Thompson "began a life of cold calling" and spent eight months "bouncing from contract to contract," doing legal research and short projects for, among others, a small Washington firm and a real estate company. Dispirited by the experience, he has now started his own firm, specializing in construction, engineering and intellectual property law, with a fellow lawyer. "I went into law school thinking that job prospects were far better than for people with BAs and MBAs," says Thompson. "I came out realizing it is far more difficult than I had first anticipated."

The blame, my critics, lies in large part with the law faculties themselves. In Ontario alone, the number of lawyers has risen to 24,800 this year from 11,500 in 1970, at a time when the population has grown only 30 per cent. Canada as a whole has 60,000. Each year, roughly 2,000 more common-law lawyers hit the market. And while the law societies of British Columbia, Ontario and Quebec have all endured badly-changed debates in recent years about limiting the number of new lawyers entering the profession, each has ruled decisively against such a move.

Heading into a crowded market, graduates also find themselves defending their turf against a growing army of professionals specializing in so-called alternative dispute resolution. Often with only a college diploma or BA in legal studies, they are beating a path through firms that already had to hire lawyers. Governments meanwhile, are only taking to heart the strappings of client-lawyer fees lawyers' offices. New reforms in Ontario require most lawsuits to attempt mediation before heading to court. There and elsewhere, legislation establishing such things as no-fault divorce and no-fault automobile insurance is making short order of lengthy legal disputes. Across Canada, the downsizing of legal aid is forcing many litigants to drop their cases early. Says Margaret Sefton, past chairman of the Young Lawyers Conference of the Canadian Bar Association: "Established lawyers are saying, 'I am worried to death.' Young ones are asking, 'Where's the work?'"

That question, in fact, lies at the heart of a major debate about the scope and shape of legal education that has gripped Canadian law schools. On one side are those demanding that law faculties afford only the most academically accomplished and ambitious students the so-called black-letter basics—the principles and precepts of Canadian legal doctrine, and the skills to translate them into practice. Others claim that law schools must open their doors to historically disadvantaged groups, put more energy into infusing fundamental notions of justice, and create courses that reflect a greater variety of human experience. The debate is played out simply by the stress of a tight market, but by the widely divergent aims and interests of those who pursue a legal education. "It is a business school, almost everyone is concerned with economic issues, and usually with making corporations more effective," notes Queen's professor Nick Bala. "Here, we have people deeply committed to many other areas and points of view."

Just ask Edwin Giffen. When the now appointed dean of law at the University of Western Ontario in London last year also faced a school known for its impassioned debates on such issues. One of her first official acts was to ask her faculty council committee, which is composed of students and professors, to undertake a re-



Sefton: a double-barreled degree and a real voice on the bigger picture

port on curriculum change. "We are not a trade school, but there is a huge part of our student body that simply wants to practice law," says Giffen. "The trick is giving people the skills to fill in a real game form and to reflect. The report, released this past week, is an explicit list of demands that in effect principles are among other things, in seeking a balance: 'between material content, doctrine and that covering content or perspectives.' And calls for greater openness to 'different, even conflicting ideas or ideologies.'"

While some schools—most notably Windsor and Calgary—actually seek out students with a history of social and community involvement, most scramble to fill the vast majority of their seats with those who have top grades and LSAs. And most or shoddily defend their right to do so. "To focus on other things is to open yourself up to questionable calls," says University of Alberta Dean Lewis Klar. Others argue that standardized test scores, in their own way, democratic. "This is not medical school where applicants come with more or less an educational pedigree," says Toronto Dean Ron Dancic. "The strength of the LSA is that it allows us to draw in students from across the spectrum, the liberal arts and commerce."

In fact, some legal educators say that, in a profession as competitive as law, admitting too many applicants from less privileged backgrounds may be setting them up for a fall. Since it was established in 1989, 48 students have graduated from the un-

In the 1990s, law schools can be intellectual sweatshops—and political minefields

Black, Indigenous and Mexican programs at Dalhousie. But a faculty study released this past June revealed that, while many had found work in legal offices and in courtrooms, many more, only a tiny minority had been able to secure jobs with private sector firms.

In Ontario, meanwhile, 44 per cent of the 128 graduates unable to land full-time jobs by August of last year were either disabled, aboriginal or members of visible minorities—although each group made up only 18 per cent of graduates. "The law schools have worked hard," says Toronto criminal lawyer Clayton Juby, who is also one of 40 members elected to govern the Law Society of Upper Canada. "But the profession has failed miserably

can make for high anxiety. Tight times in the profession have created fierce competition for jobs that pay well, and with firms and agencies with a track record of offering permanent jobs. Adding to the pressure is the growing certainty that, wherever the field is—corporate or civil litigation, prestige is paramount. "Articling is the beauty pageant that sets the stage for what comes later," says Ontario Appellate Court Justice Rosalie Abella. "Where you articulate, the kind of experience you have in very much a predictor of the opportunities you'll get."

As a result, landing an articling position is no insight with testimony as the all-out war for positions for which law schools are in demand. In almost every province, students are matched with employers through a rule-laden process dictated by the local law society. In Ontario, for example, initial interviews usually take place the third week of August, starting at 8 a.m. Monday, for openings in September of the following year. During interviews, says Karla Brady, a recruiter at Toronto firm Oler, Boskin & Blarwood, "There are strictly forbidden to ask students where they want to articulate most." Oler interviews roughly 100 of the 700 who apply from across Canada—with the aim of taking between 25 and 30 students—and students in top choices to the law society. She describes the selection process as "a week where the society lets both sides know who will work where."

While landing a position is often nerve-racking, articling itself can be a sobering reality check. "Articling isn't just enough of the practical stuff before that stage," says Liz Lee, a 1990 graduate of UBC, who is now a litigator at Vancouver's Borden & Co. "You get a lot of things, you're not out to articulate and you have absolutely no idea what it is lawyers actually do." She and others also question how much articling, in turn, prepares graduates for a life in the profession. "When I went to school, lawyers spent a great deal of time with students," says University of Calgary Dean Michael Whyte. "But with firms so focused on the bottom line, that can't always be the case anymore." Certainly Lee felt that she did not get the broad experience she would have liked. "Unless you really wanted stuff out," she recalls, "it was pretty hard to get on a first file that actually went to court."



Whyte: intense competition for students with stellar transcripts and top LSAs

Female graduates face their own obstacles—even the best women appear roughly half the number in Canadian law faculties, and have succeeded in making important legal theory a standard offering in most curricula. A 1990 report by the Law Society of Upper Canada, entitled "Women in Changing Legal Professions," found that women were making only 60 per cent of men's salaries in some areas of law. And the wage ghetto came with its own glass ceiling: only 15.5 per cent of women had been awarded part-time positions in their firms; the figure for men was 30 per cent. "No matter how much law schools change with what and why they teach," says Dean Stephen Toope of McGill, "the real issue may be that we are leading certain groups, and then dropping them into a system that refuses to change."

How Canada's law graduates are dropped into that system is also a matter of substantial controversy. Articling, the obligatory year on the job training that precedes entry into the profession,

has long beenality that pervades the profession. "Law has become a business," says Toope. "Not so long ago, it was a profession"—and one in which most experienced lawyers were expected to mentor their younger colleagues, both at the articling stage and beyond. To fill the breach, several law schools are now beefing up their course calendars with an ambitious range of certificate and graduate courses. Among the leaders has been Osgoode, which in 1990 significantly expanded its part-time master's program. It now enrolls 140 practising lawyers in 16 areas, including international trade and competition law, taxation law and alternative dispute resolution. "The medical profession has been doing this kind of thing for some time," says Dean Marilyn Pilkington. "It's high time law did as well."

Meanwhile, frustration with articling has led to an even broader

debate whether the entire road to a legal career needs to be shortened. "The funding that students take [out] peaks at university before they even get into law school," says Wylie. "It has become the norm only because of the competitive nature of the process." In the eyes of many, arduous debt takes more than add another year of primary to students already in debt. Under Hoggdon, all Harvard pays students in their Toronto office \$45,000 for their 12-month stint. But the law societies of British Columbia and Ontario have in recent years found students arduous for no pay at all. McGill's Green says he knows of some who have worked for \$20 a week in downtown Montreal. "Law school is a long, expensive process," says Abella. "It may be time to examine other less financially prohibitive ways of doing it."

Still, with demand for the LLJ so high, it is unlikely that schools will lower the requirements of entry—into their programs or the professional workplace soon. In fact, demand is so great that some deans are now discussing whether they should follow the lead of their counterparts in better faculties, and deregulate tuition. The idea was floated by the Council of Ontario Universities as far back as 1995. At Queen's, Prof. Bels says schools "have been looking informal pressure, from governments, to go in this direction." And although Pilkington has decided a notion that she says "assumes all law students will get prestigious, high-paying jobs," some other deans predict that the cost of a law degree will rise dramatically in the next few years.

One of those in Toronto's District. In recent years, he notes, Ottawa has also transferred payments to the provinces for higher education, health and social services. "It is a gap," says Daniels, "that cannot be bridged by legislation alone." And it is one that is leaving Canadian law schools more poorly funded than ever against their main competition, U.S. faculties spend between \$35,000 and \$55,000 annually on every law student, the comparable figure in Canada is \$10,000. Daniels says Daniels: many of Canada's very best students are jumping ship. The evidence, of those who turned down an offer of admission at Toronto this year, more went to Harvard than to any single Canadian law school.

Anticipating the green light to rise less significantly some time in the next several years, Toronto is already working to implement what it calls a "baked-in" loan program. Under the scheme, students who have borrowed the first degrees will be offered interest relief—and ideally some help with payments on the principle—from a special fund raised through income donations. The only requirement: they must earn an income below a specific level (which has yet to be determined) and work in such public interest areas as the profession at refugee centres, women's shelters and community legal clinics.

That attempt to channel more lawyers towards public service careers may well be a defining characteristic of Canada's law schools as they head into the next century. In recent years, many law faculties have opened community legal clinics, where students gain credit for volunteering advice to those who could not otherwise afford it. Osgoode, which has several such clinics across Man-

ropolitan Toronto, is set to open another next month to provide free legal advice to small business owners who have been referred there by social service agencies. At the University of New Brunswick, which Dean Anne Lalonde supports to assist in support in her clinic, the law school has begun encouraging students to volunteer their time at the Fredericton Legal Aid Centre by giving credit for term papers about the experience. Just last month, a group of UNB students joined the Poverty Law Society to co-ordinate student shifts at the clinic.

That hands-on approach to law clearly serves an important teaching function as well. "It came into law school with the Perry Mason, big-planner view," says Bob Brown, one of several students who landed a position at Queen's legal aid clinic this past semester. "This was the first time I put my hands dirty with things like shopping cities, brainstorming charges, but I believe that for many people out there is the real world of law."

Does the road to a legal career need to be shortened?



Student Paul Felix advising client at Bellevue Law Clinic; unorthodox experience

In the end, Bowman's words and his changing perspective, speak eloquently of what may be law school's greatest strength. The exhausting workloads, the highly charged debates, the unorthodox experience of arching and clinical work all make for a crucible of sorts. "I think the main thing a legal education helps you develop is the importance of asking yourself the difficult questions," says former Ontario premier Bob Rae, a 1977 Toronto graduate and now a partner at the downtown firm of Goodmans, Phillips and Vinerberg. "It forces students to look at things from a number of points of view, and to take nothing at face value."

Including their own futures. "Anything can happen here," says McGill student Valasek, who this term is heading to the Czech Republic to do his final year of law at Prague's Charles University. "I mean, some people who come here looking to save the environment and the underprivileged people of the world will do that. But some of them are now looking into becoming lawyers for major firms," says Valasek. "The point is, if you make it through a law degree, you can do any of those things. Or at least, you can try." ☐

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The Professional Frontier

Law graduates are making their mark in a wide range of fields

HEALTH LAW

If a patient tells his psychiatrist that he intends to harm someone, is the doctor legally obliged to tell the police? Should a woman be allowed to abort her fetus safely on the grounds that a doctor predicts the child might have a severe genetic defect? Do people have the right to sue in circumstances of their own choosing? These are just some of the complex legal and moral questions in the burgeoning area of health law. And in the search to find answers, physicians, nurses and hospitals are often turning to the courts, and to lawyers. One of those is Jennifer Miller, an associate with the Edmonton office of the law firm Bennett Jones Vennart, who earned her law degree from the University of Alberta in 1993 after working as a research associate with the university's Health Law Institute.

While Miller is intrigued by several of the more profound ethical and legal questions facing medicine, she notes that there are also important issues arising from the day-to-day pressures placed on doctors by demanding health-care funding. "It has become a very complex job to be a physician," says Miller, who adds that the U.S. justice system, where medical malpractice suits are common, is having an effect on Canada as more disgruntled patients take their health-care complaints to court. At the same time, she adds, a 1996a mentality has only added to the ante. "Many people feel that the *Parade* or *60 Minutes* screen films, doctors should be able to cure their disease or repair their heart or improve their appearance to a standard of perfection."

According to Anne Jackson, 35, executive director of the Law Reform Commission of Nova Scotia, many of the most important issues in health care involve women. A 1996 graduate of the University of New Brunswick law school, Jackson went on to get a master of law degree from Dalhousie University in Halifax in 1995. Her thesis, "A Woman, Justice of Assisted Suicide," Jackson's current area of the subject was pursued by a three-year study that she worked on for the Law Reform Commission, in which she drew up several living wills—legal documents that give detailed instructions for a client's medical treatment in the case of grave injury or illness. Her passion was also fuelled by the highly celebrated case of Sue Rodriguez, the Victoria woman who suffered from inoperable, terminal sclerosis, also known as Lou Gehrig's disease. In 1993, Rodriguez took her own life after being denied the right



to an assisted suicide by the Supreme Court of Canada. Jackson says the Rodriguez case is only the tip of the iceberg. In an aging society, where women make up a large proportion of the frail and elderly, she predicts that patients and doctors will increasingly look to the courts for guidance—and to lawyers to argue their cases. As it stands now, "the law is a crude instrument to deal with what are sensitive social matters," says Jackson. "We need more flexibility for such grey areas."

DALE FISHER

Miller, searching for answers to a raft of complicated legal and moral questions

HUMAN RIGHTS LAW

She was an abused child with emotional difficulties. And in 1959, after Linda Murr, then 14, was incarcerated in an Alberta government facility for children with mental disabilities, she was forcibly sterilized. Four decades later, Murr sued, and won \$740,000 in damages for pain and suffering. At first glance, Murr's case seems to be a straightforward, if tragic, personal injury suit. But to her lawyer, Sandra Anderson (Calgary, class of '89), it was more than that. "The basic issue," says Anderson, who specializes in cases involving the sterilization

NATIVE LAW

From law law practice as the remote Ojibwaishka Cree reserve in Prince Albert, Sask., Gerry Morris (Saskatoon, class of '77) has been involved in some of Canada's most controversial legal cases. In the early 1990s, Morris represented the family of Len LaChapelle, a Cree trapper who had been shot and killed by Carney Neiland, a Prince Albert gun-shop owner with links to neo-Nazi groups. Morris spoke before a public inquiry into whether Neiland, who had received four years for manslaughter, had gotten off too lightly. The inquiry upheld the verdict—but raised fundamental questions about whether the original decision had been influenced by racism.

Then there was the case of Billy Taylor, a Cree from La Ronge, Sask. In 1995, after being convicted of raping his former common-law wife, Taylor asked that his punishment be determined by a native sentencing circle, which banished him to an unhabited island for six months. But Crown lawyers thought Taylor deserved more—four years at prison—and appealed the ruling last year. Morris argued on Taylor's behalf. As he awaits the Appeal Court's decision, Morris says it's high time to let native Canadians have a greater say in determining their own rules of justice and punishment. "We always look towards punitive measures," he says. "But



Tellin: "the idea of working just for money escapes me"

lower an early Supreme Court victory in the quest for fair and equal treatment under the law

of fundamental human rights, "was whether you can treat people who have an impairment differently than you treat normal people. The absence of fair and equal treatment under the law creates situations where groups of people are treated unfairly."

It is an issue that transcends borders. Lesane MacMillan (Edmonton, class of '90) works as the refugee program coordinator at Amnesty International's headquarters in London. "Students should think more widely," she says. "There are more ways to use a law degree than in a law firm." In her case, MacMillan prepares reports for United Nations agencies on the treatment of refugees, in an effort to convince governments to honor their human rights commitments under international treaties.

Sometimes, brutal human rights issues can surface unexpectedly in the context of other cases. In 1994, Halifax lawyer Dorothy Jones (Dalhousie, class of '89) successfully defended a young offender charged with assaulting a police officer. The judge in the case, a black woman, accused the youth—and asked that the white officer's handling of the boy reflected the poor treatment of minorities by some members of the Halifax police force. On the basis of those remarks, the Crown opposed her ruling. Jones fought the appeal—and eventually lost—but argued in front of the Supreme Court of Canada for the judge's right to openly apply her life experience as a black woman when assessing evidence and rendering a decision. "Politicians have tried to increase the number of women and black people on the bench," says Jones. "But if you can't say something based on your own experience, what's the sense of being appointed?" Last week, the Supreme Court ruled 6 to 3 in Jones's favor.

DARCY JENISH

not better to get some input from the community, and start the healing process?"

As Morris wants to place these questions in the public eye, Toronto-based lawyer Tim Trillit (Toronto, class of '94) is putting another related group of issues before the courts. The great-grandfather of 19th-century Métis leader Louis Riel is an ancestor and advocate of the rights of his people. Among Trillit's recent cases is one concerning fishing rights all Métis in northwestern Saskatchewan. In 1995, two Métis from the isolated community of Turner

Lake had been charged with violations of Saskatchewan's fisheries regulations. Among the charges: not marking their nets properly and fishing without a license. Trillit maintained that, because those regulations do not apply to natives, they should not apply to Métis who rely on the fish for food either. The trial judge agreed.

Although his vacation is not lucrative, Trillit says it is rewarding to put his education towards a cause she believes in. "The idea of working just to make money escapes me completely," says Trillit. "I am aboriginal people who really are in great despair and in desperate situations. I don't have the time going to be the answer to their problems, but I think I can help."

TIMOTHY HODGMAN

INTELLECTUAL PROPERTY

At first blush, it all sounds pretty dull: patent applications, copyright protection, trademark enforcement. In fact, the area of intellectual property rights is one of the most exciting and rapidly evolving fields of the legal profession. And one that tries to answer difficult questions: How can decades-old copyright and patent laws, created to protect everything from sheet music to great books, adapt to software codes or a newly discovered gene? When means of data can be quickly and cheaply exchanged on the World Wide Web, how can a company's proprietary interests in vital information be protected by law? In the quest to tackle such issues, David Williams gave up a career as an anthropologist to pursue what she calls a "frustration with copyright and how it works." A 1985 graduate of Dalhousie Hall, 32-year-old Williams is now focusing on high-tech law at McCarthy Tétrault in Toronto, where her day-to-day work includes registering copyrights for software developers, redefining trademark infringements and advising clients on how to protect closely held business secrets. "I enjoy watching the development of this law," she adds, "and sometimes even pushing the envelope." And the personal benefit? "I love the clients," says Williams. "I always dream about being young and just paid—I get a sense of being a stakeholder in significant business developments."

Even in more established areas of the economy, intellectual property law is a hot field. "In this industry, it sort of touches everything," says Rick Nesbitt, the 32-year-old director of corporate development and general legal counsel for Novopharm Biotech Inc., a Toronto-based biopharmaceutical company. As a genetic manufacturer of biopharmaceuticals—products derived from living processes—Novopharm Biotech must constantly keep track of patents in the industry. The company's R and D areas are continually trying to push the frontiers of cancer and HIV research, as well.

And although Nesbitt is an intellectual property specialist (management and general legal roles comprise the major part of his job), an understanding of patent law, he says, is vital to his industry. In many cases, he notes, science is presiding the



Williams adapting the law to software codes and newly discovered genes

development of new laws. As a result, what many consider to be profound ethical issues about who should be allowed to own "living" matter—whether a strand of rare DNA or a blood sample that may hold the clue to the HIV virus—remain largely uncharted. "It is

such a broad new area," he says. "There are still many questions about what is patentable and how you protect it." Still, with an undergraduate degree in chemistry and microbiology, and a 1990 joint LL.B/M.B.A. from Dalhousie University, Nesbitt clearly enjoys the legal and business challenges of his job. "I can use my science, my law degree and my MBA all at once," he explains. "And it's nice to be able to say, you know, I'm working at a company that's trying to find a cure for cancer."

JOE CHIDLEY

ALTERNATIVE DISPUTE RESOLUTION

Better to negotiate, says Alvin Selt, then litigate. Much better. Selt is a committed advocate of alternative dispute resolution, also known as ADR, a growing field whose goal is to settle civil conflicts through negotiation and mediation rather than in the adversarial atmosphere of the courtroom. By stepping past the courts, which are usually restricted to choosing winners and losers and granting

monetary awards, the alternative dispute settlement process uses more creative, conflict-resolution means to resolve conflicts. "After a successful mediation, people feel good about the outcome," says Selt, 35, a 1988 graduate of the University of Windsor, who went on to earn a master's law degree from Harvard University in 1992. "They don't think they have been bullied or that the system has done them harm." And by answering ADR, lawyers are also among themselves with the skills necessary to enter the mediation field. Along with a Toronto practice, Selt has been spreading the word about

ADR to others in the profession: he teaches a class on the subject at the University of Toronto law school, and, in conjunction with Windsor law school, offers courses on mediation throughout the country to practicing lawyers. From law office to Winnipeg, business-law-turned-lawyer Harvey Secker argues that ADR is a particularly apt way to solve commercial disputes that involve family members or closely held partnerships. Secker, 32, former co-owner of the Winnipeg Jets hockey franchise, and co-chairman of Riddell's, a national chain of women's clothing stores,

earned his law degree from the University of Manitoba in 1993, before heading to Harvard for his master's. In the courts, says Secker, who also teaches two classes in ADR at Manitoba, "problems get translated into legalese—you come out with a legal opinion that you have to translate back into a business context with ongoing personal relationships. It seemed to me there had to be a better way." And, say both Selt and Secker, focusing on solutions that work for all sides can be rewarding not just for clients, but for lawyers. Says Selt: "At the end of mediation, I feel good."

DALE FISHER

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CRIMINAL LAW

They have such an extensive distinguished academic credentials, leading legal careers—and an oblique position for criminal law. But in many ways, Andre Martin and David Tanenreich flip sides of the adversarial system that underpins Canada's criminal justice process. Martin, (Ottawa, class of '89) is the director of Ontario's Special Investigations Unit, the government's chief law enforcement watchdog. "I have always been attracted to the idea that those who transgress the rights of the community should be vigorously prosecuted," says Martin, 32. Tanenreich is an accomplished criminal defense attorney, whose mastery of the laws of appeal is about to earn him a partnership at Toronto-based Pinakofsky Lickstein. Says Tanenreich, who graduated from Queen's University law school in 1982 before earning a master's degree in law from New York University: "I look upon criminal law as the place where a whole range of civil liberties and legal rights are both defined and protected."



Martin, examining all police incidents involving death or serious injury

As one of only a handful of Canadian lawyers whose practice is devoted almost exclusively to lawmaking and executing appeals, Tanenreich, 31, freely acknowledges that he has never appeared in trial court: "I spend 90 per cent of my time combing through transcripts," he says, "looking for legal errors." At the moment, the lawyer has several complicated appeals awaiting judgment. Among the most contentious is a constitutional challenge against provisions in the Criminal Code that allow police to obtain a warrant to search blood for DNA purposes. Martin's criminal law skills, by contrast, were honed in the courtroom. One day after being called to the Ontario bar in 1981, he joined the Ottawa Crown attorney's office. "I came from a law and order background," says Martin. "My father as a judge, my teacher as a cop, my father as law as a former police chief." During his five years as a Crown attorney, Martin developed a reputation for handling difficult, often sensitive cases, including the prosecution of then-sitting Conservative MPs Michael Tremblay and Gilles Bernier. Tremblay was found guilty in 1993 of three fraud-related charges connected to the use of \$5,000 in public funds to send three members of his *LeFaitisme*, Que., riding association, and their wives, on a trip to Monaco. The conviction was later overturned on appeal. Bernier, now Canada's ambassador to Haiti, was charged, and subsequently cleared, on two counts of fraud and breach of trust for employing relatives on his House of Commons payroll. Martin also directed the prosecution of the precedent-setting case in which an Ottawa nurse (now convicted of sexual assault in 1982 solely on the basis of the 19-year-old victim's out-of-court statements). In his current job, Martin oversees the agency that examines all police incidents involving death or serious injury. "It was made for the job," he says. "I see it as a perfect model to put my expertise as a prosecutor and an investigator to work."

BARRY CAHILL



Horneum making the legal playing field "a little more even"

ADVOCACY

Montreal-based lawyer Anne Horneum, since found herself defending a single member of two who had been charged with writing four NSR cheques. The woman situated in the office—but she had done so in order to buy groceries for her family. In court, Horneum mounted what even she admits was a far-fetched defence. She brought in economists and nutritionists who testified that the amount of social assistance for child support made it impossible to feed her family and meet the basic requirements of the Canada Food Guide. Invoking what is known as a defence of necessity, she argued that her client had little choice but to write the bad cheques. In the end, the client was found guilty. But she was also discharged and spared a jail sentence. "The courts are not the place to change social policy," says Horneum, 48. "But sometimes they are the only thing left." And although not all her cases involve the poor, Horneum (University of Montreal, class of '80) has gained a reputation for defending women of little means, many of whom are fighting well-heeled fraud charges. Horneum, who admits that anger is often a motivating force for her, realizes she won't change the world. "I just want the playing field to be a little more even," she says.

A desire to defend the underdog is also what drives Lee Mitchell, a 1990 graduate of Osgoode Hall. After a year in private practice, Mitchell, 35, joined a Toronto-based legal aid clinic called Justice for Children and Youth. Among Mitchell's clients are teenagers charged under the Young Offenders Act and youth working financial support from parents who have kicked them out of the house.

Mitchell is well aware of the widespread perception that young offenders are treated too leniently by the justice system. But he contends that such views are based on false assumptions about the growing level of youth crime—and a general lack of human empathy for young people in desperate straits. "Many have been rejected or shunned by their parents," says Mitchell. "They may act tough, put on a bravado, but it can be a very scary situation." And while he knows that he could be predicting a more lucrative brand of law, Mitchell says he derives more satisfaction from his work. "It's a very human kind of law, one that deals with individuals who have no one else on their side," says the lawyer. "It matters to me when I win or lose a case because I really do care about the client."

BRIAN BISHOPMAN

ENVIRONMENTAL LAW

It is quickly becoming an urban gem, a three-billion-dollar addition to the heart of the city where bright water fountains at the feet of glass towers and children race along green footpaths. Few now recall that until recently the shores of False Creek were a pitiful site of raw muscle industry. For most of its first century of existence, this was where Vancouver got rich building the trade and gear for a sprawling oil economy. Rail yards, coal racks and shipyards all located there. Shocking air waves reached forests to acres of rotting chips. One turn of the century factory converted coal to gas for the city's first electrical plant, all the while dropping a load of toxic tar into the surrounding area. Now, it, and the rest of the postindustrial cautions, has to be cleaned up, building site by building site, as False Creek's metamorphosis continues. Helping to lead that task is Margaret Erlanson, 33, UBC class of '98. "My job," says Erlanson, "is part legal, part government, part government liaison."

In the ancient field of environmental law, Erlanson's assignment lies where the rhetoric of advocacy groups and the good intentions of legislators confront the unforgiving reality of the situation on the ground—literally. One recent responsibility was to ensure that a load of contaminants met every legal requirement for safe transportation into the United States. And as science identifies and re-evaluates

threats to health at the environment, the legal terrain is constantly changing. "There is a plethora of law, regulation and policy to work through," says Erlanson. "And a lot of environmental law isn't black and white, either. That's why I like it—it's evolving."

Some of the most exciting frontiers is where the law is trying to tackle issues that transcend national jurisdictions. As one counsel for West Coast Environmental Law, a public interest advocacy group founded collectively by B.C. lawyers and others, Chris Holtz, 36, will fly to Paris in the fall of September to share ideas with others. Their medium-term goal: to achieve a 20 per cent cut in global greenhouse gas emissions by 2005. Issues will include how to induce compliance from wayward states and complacent individuals, both of whom must change their ways if the target is to be met. As they struggle to find practical legal language that will accommodate that battle and others here, they are pioneering uncharted territory between existing, and widely differing, national systems. When it comes to environmental law between nations, the University of Victoria graduate (1988) says: "There is very little in place. You're really building from the ground up." In law other fields does the popular advice to "think global, act local" sound so up—or hold so much challenge.

CHRIS WOOD

Decision is a essential field in which the terrain is constantly changing



ASIA-PACIFIC LAW

Among economists and business strategists, the consensus is growing that the first 100 years of the new millennium will belong to the Pacific. China is spending hundreds of billions of dollars to bring living standards in the world's most populous nation closer to those in the West—expanding its economy by 10 per cent a year. In its shadow, half a dozen so-called tiger dragons are also developing, from the Korean Peninsula north to Indonesia. To Canadian lawyer Olivia Lee (UBC class of '93), that represents opportunity. "Ho Hong Kong becomes a financing platform for China, and Chinese affiliates buy into Hong Kong companies," says the 34-year-old lawyer, "there is a shortage of lawyers."

The opportunity is particularly good for Canadians. Now a member of the Hong Kong Law Society and a partner in the firm of Oiler, Hosken & Hackett, Lee notes that "lawyers don't trust Chinese lawyers, not yet." Instead, most seek out lawyers trained in the West to work alongside their Shanghai or Beijing-based counsel. At the same time, the growing number of governments across the Pacific has produced a surge in demand for legal assistance. Among Lee's files has been an initial public offering on the Toronto Stock Exchange of shares in a Philippine-owned mining company,



Chicago economic services and public relations

as well as several private placements and advice to investors in joint ventures with partners from inside the People's Republic. With all that is going on in Asia, notes Lee, "there is a high demand for commercial-law-trained lawyers in securities, commercial and corporate finance."

Beyond giving legal advice to investors, Canadians are also taking a hand in the drive to reform civil justice and political law. From her desk at Toronto's Stillerman Elliott, Loeb Chang gives pro bono time to support groups in China that are pressing for improved protection for women. Four months after graduating from the University of Toronto law school in 1995, Chang attended the United Nations conference on the status of women in Beijing, causing some to remark that "there is common ground" on the issue. But, she adds, "the system is so new there that I have had to start just trying to get people to understand basic definitions, such as discrimination against women and why it is wrong for women to bear the burden of economic reform."

Like Lee in Hong Kong, Chang is optimistic about China's progress. Similar confidence for the long term, solidified with a degree of caution, prevails for much of the rest of the Asia-Pacific region. It is an outlook full of promise for Canadian lawyers with a yen to participate in the ongoing Pacific century.

CHRIS WOOD

INTERNATIONAL LAW

One day last May, Peter Selgin was pouring over dusty files in an archive just off the Institute cobblestone entrance of Red Square in Moscow. Among other long buried files, he found copies of documents stamped, in Russia's Cyrillic script, "Top secret." The papers were neither hot political documents nor military secrets. They were 19th century copies of the civil code of Napoleonic France, which Communist commentators had kept hidden for fear that Russians might discover such forbidden concepts as the right to private property.

Now those files are being pulled into the bright light of day. The reason: President Boris Yeltsin has put the country's leading civil minds to work reforming Soviet-era laws. Selgin, 36, is on leave from the Advanced Program of McGill University's school of law, through which he is earning a degree in both common law (based in English Canada and most of the English-speaking world) and civil law (based in Quebec and much of Europe). The student has spent the past year assisting advisors in the drafting of new Russian legislation that will address issues ranging from greater international law to cyberlaw rights. "For its new laws, Russia aims to follow among Western models in a series," says Selgin, whose work is mostly aided by the Canadian International Development Agency. "They make advisors who understand what is happening across different legal systems."

For the most part, Selgin's role involves co-ordinating exchanges between law students in Moscow and a brain trust at McGill's faculty of law and practitioners at the Montreal law firm of Ogilvy Renault. "When the Russian legislative drafters show us their draft laws," Selgin explains, "we are able to explain how they compare not only with Quebec or Canadian law, but also with U.S. law, French law, German law, and so on." Adds Selgin:

"The Russians are always criticizing the Americans because they only see the world from their point of view. They never study anything else."

Increasingly, legal facilities are putting a greater emphasis on training students in the ways of international law. Allen Hiltner (University of Western Ontario, class of '97) spent a semester this year at the University of New Mexico at Albuquerque. She was there as part of an exchange program between nine American, Canadian and Mexican law schools, created in the wake of the North American Free Trade Agreement to increase understanding of how NAFTA may affect the laws of each of the three countries. Hiltner, who is now working with the legal department of Metropolitan Toronto, says that, above all, the program opened her eyes to the politics and power relationships that lie behind international legal agreements.

"The United States is using NAFTA to reach its tradeable north and south," says Hiltner. "How the treaty works depends on where you're from."

Sometimes the prickly questions surrounding international trade can mean forging new laws, and rendering decisions that affect the legal systems of sovereign states. A stark question arose graduating from the University of Michigan's graduate program in 1983, Delia Senger was appointed in 1985 as the first director of

the World Trade Organization's Appellate Body Secretariat. It was Senger's department that recently upheld a WTO ruling shoring down three Canadian trade aids used to protect domestic producers from foreign competition. Despite the pressure of overseeing such sensitive decisions, Senger, who got her LL.M. from Victoria in 1979, clearly relishes the chance to go where law lawyers have gone before. "I am southern with international trade law," says Senger. "I am centrally located in the early evolution of a kind of international justice system."

CHRIS WOOD



Selgin: forging laws for sovereign states

Osgoode Hall Law School

of York University

At Osgoode — always well-attended by students, their families, the faculty and staff — graduates celebrate their achievements, their friendships and their futures. Osgoode students come to the study of law from a variety of academic disciplines and cultural backgrounds. The curriculum builds on their interests and experience.



Commitment to the continuum of academic and professional education in the law

Founded in 1899 by The Law Society of Upper Canada, Osgoode Hall Law School has been affiliated since 1968 with York University. Drawing on these professional and academic roots, Osgoode offers outstanding opportunities for undergraduate students, for graduate students, and for lawyers who seek to enhance their specialist expertise.

Faculty of leading scholars, specialists, and innovative teachers

The Osgoode faculty includes many of Canada's brightest and most distinguished legal minds — authors of leading texts and casebooks — renowned as productive and innovative scholars — frequently called upon for public service on trial and challenging issues — generating exciting learning opportunities for students. The teaching faculty is augmented by leading members of the profession and the judiciary, specialists in their fields, who contribute their expertise in the comprehensive and challenging curriculum.

Challenging and multifaceted curriculum

Developing sound technical proficiency is a fundamental goal of a legal education, but we believe it is just a beginning. Osgoode students grapple with the law in all its rich and varied dimensions. They learn to develop experience as practice, estimate its role as an agent of change. Osgoode students learn how to evidence, apply, interpret, explain, dispute, predict and look established thinking to achieve new objectives. They develop the ability to think comprehensively and creatively about law as a tool for addressing the challenges created daily in business, government and society at large, in Canada and in the world.

Osgoode offers students tremendous choice in subject matter and learning methodologies. In each field, there are foundation courses and more specialized courses and seminars. There are excellent opportunities to study legal process and develop professional skills in legal research and writing, statutory interpretation, legal drafting, trial practice, appellate advocacy, dispute settlement, negotiation, and mediation. Osgoode is a leader in clinical education. In unique intensive programs, students can spend a semester studying the law in action through seminars, workshops, simulated transactions, field placements, research and law reform projects. Innovative programs are offered in Advanced Business Law • Criminal Law • Immigration and Refugee Law • Land, Resources and First Nations Governments • and Poverty Law. Through the study of law at Osgoode, students train their minds, expand their understanding, and develop their effectiveness.

Law reform and public service

Osgoode challenges students to be a catalyst for improving the law's reflection of our society. Our traditional motto embodies our contemporary commitment — *per se ad potestatem* — through law to posit for many years. Osgoode has provided leadership in nurturing the need for greater access to legal services and the reform of legal institutions. Twenty-five years ago, against resistance from within the profession, Osgoode established the first community legal clinic in Ontario — the prototype for what is now an extensive network of community legal clinics. Osgoode students, working with faculty and supervising lawyers, provide much needed legal advice, representation, and public service. In turn, our students reap the benefit of studying the law in action and preparing for professional roles.

Professor Peter W. Hogg, Canada's leading constitutional law scholar, is one of Osgoode's most popular teachers. The Osgoode faculty includes many of Canada's brightest, most distinguished legal scholars. Six professors are among the 33 English speaking legal academics honoured by election as Fellows of the Royal Society of Canada (FRSC).



Osgoode Hall Law School, York University. Affiliated with York University since 1968, Osgoode is the largest common law school in Canada, well known for excellence and innovation in legal scholarship and legal education. Osgoode's leadership in Canadian legal education is enhanced by its links with the Faculté de droit, Université de Montréal and with the eminent law faculties in France, Australia, Japan, China and Italy.

Research facilities

The Law Library at Osgoode is the largest in the Commonwealth, attracting legal scholars and practitioners alike, and incorporating new research technology. There are four research centres at Osgoode: The Centre for Public Law & Public Policy, The Institute for Forensic Legal Studies, The Refugee Law Unit, and the newly established Nicholson Centre for the Study of Organized Crime and Corruption, supported by a generous endowment. Faculty are engaged in innovative and varied research initiatives. Students are encouraged to participate in these initiatives and to pursue their own research interests.

Lifelong learning, Graduate Studies, and

The Professional Development Program

Osgoode offers unparalleled opportunities to law graduates for advanced study and development of specialist expertise. Students from around the world are attracted to Osgoode's research-based graduate program, leading to the LL.M. and D.J. degrees. The part-time LL.M. Program offers lawyers unique opportunities for specialist education. More than 400 lawyers are pursuing LL.M. programs in the following subject areas:

Administrative Law
Alternative Dispute Resolution
Banking and Financial Services
Civil Litigation and Rights Resolution
Constitutional Law

Intellectual Property Law
International Trade and Competition Law
Securities Law
Taxation Law

In addition, Osgoode offers 25 continuing legal education programs, including the Innovative Trial Advocacy Workshop and the Innovative Mediation Workshop. This curriculum, designed for lawyers, addresses the need for lifelong learning in a rapidly changing profession.

- Innovative, productive, and distinguished faculty members.
- The largest law library in the Commonwealth.
- Comprehensive curriculum integrating substantive law and procedure, theory, policy and professional skills.
- Commitment to the study of law, and law reform, as instruments of justice.
- Innovative clinical teaching programs, joint degree programs, exchange.
- Opportunities for advanced scholarship in masters and doctoral programs.
- Unique and innovative Professional Development Program for lawyers.
- Outstanding alumni providing leadership in the legal profession, judiciary, government, business and academia.
- Located in Canada's largest centre of legal expertise and opportunity.

Osgoode alumni and their careers

Osgoode produces some of Canada's most outstanding lawyers, judges, business leaders and public figures. Graduates are selected for clerkships and well-represented in prestigious law firms, in corporate law offices, in government, and in the legal clinic system. Others choose different paths, making significant contributions in business, education, community development, the arts and social services. The Career Development Program assists students to prepare for and obtain career opportunities, and graduates join a network of thirteen thousand alumni, across the country and around the world.

York University

York University was founded in 1959, and has grown to be Canada's third largest university, with a student body of more than 40,000. It is recognized worldwide for its excellence in teaching, research and scholarship, and has a reputation as a dynamic and progressive university. With its modern campus in the heart of one of North America's most influential urban centres, York University is setting the modern standard in academic excellence.

In legal education... the choice you make can make a world of difference

For further information

Please contact: Osgoode Hall Law School,
York University, York, North York, Ontario, Canada, M3J 3P3
Tel: (416) 736-5734

Visit our website at www.yorku.ca/osgoode/

LL.B. Program (416) 734-5040
Graduate Program (416) 734-5046
Professional Development Program (416) 625-8276



The Grad Report

Young lawyers offer sound advice about where to look for quality

BEST OVERALL

- 1 Toronto
- 2 New Brunswick
- 3 Victoria
- 4 Moncton
- 5 Windsor
- 6 McGill
- 7 Calgary
- 8 Dalhousie
- 9 Saskatchewan
- 10 Manitoba
- 11 Alberta
- 12 Western
- 13 Queen's
- 14 Ottawa
- 15 UBC
- 16 Osgoode

UNIVERSITY OF TORONTO

Interview from top left: Prof. Ernest Rombit with students: Karyn Foster, Maria Jorg, Sacha Dine

Many factors contribute to make a great law school: smart students, learned professors, small classes, an extensive library. But for students making a commitment to a legal education, nothing replaces the counsel of those who preceded them. "With a decision as big as this one, consumers want real advice," says Allen Gregg, chairman of the research firm The Strategic Counsel Inc. "They like to put an ear to the ground." With that notion in mind, a team of Maclean's researchers, led by Susan Farina, spent several months tracking down virtually every law school graduate called to the bar in the past three years. Editors then mailed each of those 3,207 lawyers a questionnaire, designed with the help of consulting statistician Rose Anne Leonard, to find out what they thought of their education. Along with an assessment of the school's overall quality, graduates were asked about the relevance of the curriculum, the caliber of the teaching and the quality of the learning environment. In all, 1,227—more than 30 per cent—weighed in with an opinion, in the words of pollster Gregg, "a very respectable"

return rate. Several also took the time to jot down more personal observations. "I have especially fond memories of Prof. Bruce Weiling," wrote one University of Western Ontario graduate, now a civil litigator in small-town Ontario. "Any student subjected to his method of teaching legal notation will never put a comma in the wrong place again." For a potential law student, here is the voice of experience.



UNIVERSITY OF NEW BRUNSWICK

From left: Zila Dett, Prof. Wade MacLachlan, Charlotte Karyn-Foster and Counsel Sheppard

QUALITY OF THE LAW SCHOOL

- 1 Toronto
- 2 Victoria
- 3 New Brunswick
- 4 Moncton
- 5 Dalhousie
- 6 McGill
- 7 Windsor
- 8 Saskatchewan
- 9 Alberta
- 10 Queen's
- 11 Manitoba
- 12 Calgary
- 13 Western
- 14 UBC
- 15 Osgoode
- 16 Ottawa

QUALITY OF TEACHING

- 1 Toronto
- 2 Victoria
- 3 McGill
- 4 New Brunswick
- 5 Moncton
- 6 Windsor
- 7 Dalhousie
- 8 Alberta
- 9 Saskatchewan
- 10 Calgary
- 11 Manitoba
- 12 Ottawa
- 13 UBC
- 14 Queen's
- 15 Osgoode
- 16 Western

RELEVANCE OF THE CURRICULUM

- 1 New Brunswick
- 2 Calgary
- 3 Manitoba
- 4 Toronto
- 5 Windsor
- 6 Moncton
- 7 Western
- 8 Victoria
- 9 McGill
- 10 Alberta
- 11 Dalhousie
- 12 Saskatchewan
- 13 Queen's
- 14 Ottawa
- 15 Osgoode
- 16 UBC

QUALITY OF LEARNING ENVIRONMENT

- 1 Victoria
- 2 Toronto
- 3 New Brunswick
- 4 Moncton
- 5 Calgary
- 6 Windsor
- 7 Saskatchewan
- 8 Dalhousie
- 9 McGill
- 10 Manitoba
- 11 Alberta
- 12 Western
- 13 Queen's
- 14 Ottawa
- 15 UBC
- 16 Osgoode

Jury of Their Professional Peers

Measuring the schools' reputations

When students leave law school, they take with them not just the skills and knowledge to practise in the profession, but the credentials of their alma maters. Maclean's surveyed 3,570 judges, lawyers and legal academics by email, asking them to make the hard call: Which schools are of the highest quality? Which are the most innovative? Which are poised to become the leaders of tomorrow? And which best serve the needs of the local bar? In the end, nine per cent of these surveyed responded with their opinion.


PHOTO COURTESY OF UBC

UNIVERSITY OF VICTORIA

Laure Goldbach (left), Prof. Margot Young, Letley Ratzke and Sonny Whittle

BEST OVERALL

- 1 Toronto
- 2 Victoria
- 3 McGill
- 4 Osgoode
- 5 Dalhousie
- 6 UBC
- 7 Saskatchewan
- 8 New Brunswick
- 9 Alberta
- 10 Calgary
- 11 Queen's
- 12 Windsor
- 13 Western
- 14 Ottawa
- 15 Manitoba
- 16 Moncton

QUALITY OF THE LAW SCHOOL

- 1 Toronto
- 2 McGill
- 3 Victoria
- 4 Oshouse
- 5 Osgoode
- 6 UBC
- 7 Queen's
- 8 Saskatchewan
- 9 New Brunswick
- 10 Alberta
- 11 Western
- 12 Calgary
- 13 Ottawa
- 14 Windsor
- 15 Manitoba
- 16 Moncton

SERVING NEEDS OF THE LOCAL BAR

- 1 Saskatchewan
- 2 Toronto
- 3 Alberta
- 4 UBC
- 5 Victoria
- 6 McGill
- 7 New Brunswick
- 8 Manitoba
- 9 Oshouse
- 10 Osgoode
- 11 Calgary
- 12 Western
- 13 Queen's
- 14 Windsor
- 15 Ottawa
- 16 Moncton

MOST INNOVATIVE

- 1 Victoria
- 2 Toronto
- 3 McGill
- 4 UBC
- 5 Osgoode
- 6 Oshouse
- 7 Windsor
- 8 Calgary
- 9 Queen's
- 10 Saskatchewan
- 11 New Brunswick
- 12 Moncton
- 13 Alberta
- 14 Western
- 15 Manitoba
- 16 Ottawa

LEADERS OF TOMORROW

- 1 Toronto
- 2 Victoria
- 3 Osgoode
- 4 Oshouse
- 5 Windsor
- 6 McGill
- 7 New Brunswick
- 8 Calgary
- 9 Queen's
- 10 Saskatchewan
- 11 New Brunswick
- 12 Moncton
- 13 Alberta
- 14 Western
- 15 Manitoba
- 16 Ottawa

THERE ARE TWO THINGS YOU WON'T READ ABOUT THE UNIVERSITY OF WINDSOR LAW FACULTY IN THIS ISSUE OF MACLEAN'S

You won't read about the LSAT or GPA scores of the winners and men we admit to the University of Windsor Faculty of Law. We didn't provide Maclean's with that information. It's simple really. We don't release that information.

At the University of Windsor Faculty of Law, our admission decisions are about people with a lifetime of experience and a lifetime of potential. In fact, we prepared that idea. It is an expensive, labour-intensive process—but it works.

We take the measure of a person's character and accomplishments, not the measure of a moment that

test results produce. Hence, the LSAT score is only one among several measures; the others are work and life experiences, artistic and personal skills and achievements, demonstrated commitment to serve the community and the ability to represent different sectors in our society.

If you become a part of the University of Windsor Law School, you will find the average age of our students may be a bit older and the mix of races, religions, cultural and economic backgrounds may be different from other law schools. We believe that makes for better classes and better learning. Frankly, we think we are on to a

special idea here and we plan to stick with it.

If you have reason to be proud of your LSAT or GPA scores, the University of Windsor Faculty of Law could be just your kind of law school.

You see, for our law program, we aren't looking for the best test scores; we are looking for the best people.



The Faculty of Law, University of Windsor
www.uwindsor.ca/faculty/law/index.htm
General Inquiries: info@uwindsor.ca

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vacation with all the conveniences you

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unexpected treasures such as exotic wildlife, uncharted coastal islands and warm, crystal

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LEE ISLAND COAST
Pondicherry Island, Ontario

The Law School Survey

An exclusive look at the best and the worst



University of Toronto students Shawn Hewson (left), Ruth Proulx and Grant Warden

MEDIAN LSAT SCORE

General Admission Students

SCORE

3	Toronto	164
2	Victoria	162
3	UBC	161
4	McGill	159
4	Osgoode	159
6	Manitoba	158
6	Queen's	158
8	Western	158
9	Calgary	157
9	Dalhousie	157
9	Ottawa (ENGLISH)	157
12	New Brunswick	156
12	Saskatchewan	156
14	Alberta	154
14	Moncton	N/A
16	Ottawa (FRENCH)	N/A
17	Windsor	would not provide

When choosing a law school, students look for key indicators of quality: Is the student body academically accomplished? Are classes small enough, and is the library large enough, to afford ready access to professors and information? Is there a proven commitment to diversity and for the smartest and neediest students? Seeking a means to find the answers to these questions, Maclean's editors and researchers spent months meeting with experts in legal education. How best to measure the richness of a law library? How best to compare LSAT scores?

In July, each school received a seven-page questionnaire, and over the next 10 weeks researcher Mary Dwyer fielded dozens of detailed questions from university member branches. Once all surveys were returned, she began a thorough cross-checking of the data. Maclean's consulting statistician Rose Anne Leonard prepared the final results, which provide a unique window into the world of Canadian law schools.

MEDIAN LSAT SCORE

Entire Class

3	Toronto	164
2	Victoria	161
3	McGill	159
4	Osgoode	159
4	Western	158
6	Calgary	157
6	Dalhousie	157
6	Queen's	157
8	Manitoba	156
8	New Brunswick	156
8	Ottawa (ENGLISH)	156
8	Saskatchewan	156
10	Alberta	154
10	Moncton	N/A
10	Ottawa (FRENCH)	N/A
10	UBC	would not provide
17	Windsor	would not provide

Percentage of incoming students in General Admission category

Alberta	60
Calgary	97
Dalhousie	92
Manitoba	85
McGill	100
Moncton	98
New Brunswick	99
Osgoode	78
Ottawa (ENGLISH)	84
Ottawa (FRENCH)	69
Queen's	60
Saskatchewan	79
Toronto	95
Victoria	80
Western	85
Windsor	would not provide

LSAT SCORES AND GRADES

Every law school sets aside some spaces for a portion of applicants—including mature students and members of certain visible minorities—whom it selects according to a very broad range of criteria. But when judging the vast majority of those who apply as "general admission" students, all schools put considerable store in grades and the Law School Admission Test (LSAT). "With an applicant pool of 600," says University of Alberta law dean Lewis Blase, "it would be logistically difficult" to focus heavily on other things. Still, students are well advised to remember that, even as that general pool, law faculties take into account academic references, extracurricular activities and community involvement. "We try to find people who excel academically," says Calgary law dean Michael Wylie. "But it is also important to have students prepared to make a contribution to society."



McGill students Laurie Sargent (left), Awaish Seela, Andrea Liang, Austin Bell

CREATING A LEVEL PLAYING FIELD

The 16 law schools

reported median entering grades in four different ways—either with a percentage score, or as one of three different grade-point scales, all as defined below. In order to convert these grades to a uniform score, consulting statistician Rose Anne Leonard used a formula originally developed by an organization called CLASS (Canadian Law Admission Statistics Services and Innovations), designed to allow comparability.

MEDIAN ENTERING GRADE

Grade of Admission Students

1	McGill	82.2%
1	Ottawa (ENGLISH)	81.8%
2	Toronto	81.7%
3	Osgoode	81.3%
4	Victoria	81.3%
4	Western	81.3%
7	Alberta	81%
7	Moncton	81%
9	Ottawa (FRENCH)	80.4%
10	Dalhousie	80%
11	UBC	79%
11	Queen's	78%
12	New Brunswick	77.5%
13	Moncton	76.6%
13	Saskatchewan	75.5%
13	Calgary	75.4%
17	Windsor	would not provide

MEDIAN ENTERING GRADE

Entire class

1	McGill	82.2%
2	Toronto	81.7%
3	Ottawa (ENGLISH)	81.8%
4	Western	81.3%
4	Alberta	81%
6	Osgoode	80.7%
7	Dalhousie	80%
8	Victoria	79.5%
9	Moncton	79.8%
10	Ottawa (FRENCH)	78.7%
11	Queen's	78%
12	New Brunswick	77.5%
13	Moncton	76.6%
13	Calgary	75.4%
13	Saskatchewan	75.4%
17	Windsor	would not provide

PERCENTAGE

1	McGill	82.2%
2	Ottawa (ENGLISH)	81.8%
3	Western	81.3%
4	Ottawa (FRENCH)	80.4%
6	UBC	79%
6	Queen's	78%

G-POINT SCALE

1	Toronto	3.5
2	Osgoode	3.25
2	Victoria	3.75
4	Dalhousie	3.7
5	New Brunswick	3.5
6	Moncton	3.43
7	Saskatchewan	3.37
8	Calgary	3.33

4.5 POINT SCALE

Manitoba	3.74
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9-POINT SCALE

Alberta	7.8
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DIFFERENT SCHOOLS, DIFFERENT SCALES

There are the median entering grades in the General Admission category as they were originally reported to Maclean's by each of the law schools.

ACCEPTING THE OFFER

Low down must accept available offers of acceptance to fill their seats since students apply to more than one faculty. Still, some schools can be more certain than others that students will jump at their invitation to attend. These figures show the percentage of students accepted who took each school up on its offer. Also displayed: the number of those who applied, and who were issued a firm, and who accepted these offers at each school.

PERCENTAGE OF APPLICANTS WHO SAID YES

per cent

1	Moncton	62
2	Toronto	58
3	Ottawa (French)	56
4	Osgoode	48
5	Windsor	46
6	Alberta	45
7	McGill	45
8	Calgary	44
9	Dalhousie	40
10	Saskatchewan	39
11	New Brunswick	37
12	Victoria	36
13	Manitoba	35
14	UBC	34
15	Queen's	28
16	Ottawa (English)	27
17	Western	27



Calgary scholarship winners Neil Robertson and Corne Gibson

SCHOLARSHIPS & BURSARIES

Percentage of full-time LLB students who received scholarships

Percentage of full-time LLB students who received bursaries

	PER CENT		PER CENT		
1	Calgary	34	1	Manitoba	42
2	New Brunswick	31	2	Dalhousie	38
3	Victoria	30	3	Queen's	35
4	Saskatchewan	29	4	Victoria	32
5	Toronto	23	5	Toronto	26
6	Moncton	21	6	Moncton	20
7	Queen's	21	7	UBC	22
8	Dalhousie	19	8	Western	22
9	UBC	16	9	Osgoode	13
10	McGill	16	10	Ottawa	11
11	Alberta	17	11	New Brunswick	8
12	Osgoode	13	12	Saskatchewan	8
13	Ottawa	13	13	Windsor	8
14	Manitoba	12	14	Calgary	7
15	Windsor	11	15	Alberta	7
16	Western	9	16	McGill	N/A

Scholarship dollars per full-time LLB student

Bursary dollars per full-time LLB student

1	McGill	\$721	1	Queen's	\$377
2	Toronto	\$30	2	Toronto	\$72
3	New Brunswick	\$52	3	Dalhousie	\$69
4	Victoria	\$80	4	McGill	\$41
5	Calgary	\$47	5	Victoria	\$69
6	Dalhousie	\$46	6	UBC	\$62
7	Moncton	\$47	7	Moncton	\$81
8	Saskatchewan	\$44	8	Western	\$44
9	UBC	\$28	9	Manitoba	\$35
10	Alberta	\$51	10	Ottawa	\$38
11	Osgoode	\$35	11	Osgoode	\$33
12	Ottawa	\$35	12	Alberta	\$33
13	Queen's	\$39	13	Calgary	\$31
14	Western	\$36	14	New Brunswick	\$4
15	Windsor	\$6	15	Saskatchewan	\$3
16	Manitoba	\$8	16	Windsor	\$2

CLASSES

Small classes provide students with an excellent opportunity to interact closely with both their peers and their professors. Maclean's takes into account the entire range of classes in the first-year and upper-year levels, placing them in five groups of ascending size and awarding points for the number of classes in each group. Five points for each class in the smallest group, four for each in the next smallest and so on. The total points are divided by the number of classes to create a final score for each school.

Law professor Karen Bosby teaching at Maxwell



		1-25	26-50	51-75	76-100	over 100
1	Moncton	39.1	60.9	none	none	none
2	Alberta	55.2	31.7	31.3	none	3.7
3	Western	33.6	44.7	6.6	17.7	2.4
4	Moncton	none	100	none	none	none
5	Ottawa	49.2	1.7	42.3	3.3	none
6	New Brunswick	none	96.9	6.1	none	none
7	Victoria	23.9	38.1	38.1	none	none
8	McGill	35.3	11.6	82.6	none	none
9	Saskatchewan	33.3	6.9	58.6	none	none
10	UBC	20	48	20	20	none
11	Calgary	none	68	10	none	none
12	Dalhousie	12	38	45	4	none
13	Toronto	39.1	5.4	76.4	21.7	1.4
14	Windsor	none	62.2	18.8	21.1	none
15	Queen's	none	12.2	42.6	11.6	none
16	Osgoode	8.4	8.1	none	68.3	none

		1-25	26-50	51-75	76-100	over 100
1	Moncton	44.7	33.3	none	none	none
2	Moncton	41.9	32	1.9	4.8	none
3	Ottawa	64.5	20.8	14.1	none	none
4	Dalhousie	49.7	19.2	18.2	none	1
5	Victoria	36.4	24.1	12.9	none	none
6	UBC	45	18.4	18.1	1.6	none
7	New Brunswick	32.2	20.9	12.9	3.2	none
8	Alberta	53.2	24.8	22	none	none
9	Calgary	36.1	42.9	11.4	none	none
10	Windsor	51.6	24.2	24.7	2.5	none
11	Saskatchewan	46.1	26.5	0	9.9	none
12	Western	53.6	20	17.8	7.5	1.3
13	Toronto	54.6	25	9.1	4.8	none
14	McGill	42.2	26.6	0	11.6	none
15	Osgoode	30.6	18	10.9	15.6	4.7
16	Queen's	44.7	21.1	15.6	15.6	2.3

THE ADMISSIONS REPORT

	Total applications	Applicants offered admission	Others accepted	
1	Moncton	115	71	44
2	Toronto	1,693	259	172
3	Ottawa (French)	174	57	54
4	Osgoode	1,885	638	367
5	Windsor	1,472	335	154
6	Alberta	835	362	163
7	McGill	951	117	53
8	Calgary	645	163	73
9	Dalhousie	1,557	387	156
10	Saskatchewan	603	287	111
11	New Brunswick	640	216	80
12	Victoria	1,058	278	103
13	Manitoba	750	264	99
14	UBC	1,454	574	193
15	Queen's	1,458	500	153
16	Ottawa (English)	1,346	436	117
17	Western	1,463	363	180

FACULTY

STUDENT/FACULTY RATIO

Number of full-time students per full-time faculty

1	McGill	6
2	Moncton	8
3	Victoria	10
4	Calgary	11
5	New Brunswick	11
6	Dalhousie	12
7	Saskatchewan	12
8	Western	13
9	Manitoba	14
10	Queen's	15
11	Toronto	16
12	UBC	16
13	Ottawa	16
14	Osgoode	16
15	Windsor	16
16	Alberta	20

ROYAL FELLOWS

Number of full-time law faculty who are fellows of the Royal Society of Canada

1	Toronto	7
2	Osgoode	6
3	McGill	3
4	Ottawa	2
5	Saskatchewan	1
6	Western	1
7	Alberta	0
8	UBC	0
9	Dalhousie	0
10	Manitoba	0
11	Moncton	0
12	New Brunswick	0
13	Queen's	0
14	Victoria	0
15	Windsor	0

TUITION & FEES

FALL 1997

1	Alberta	\$3,446
2	UBC	3,440
3	Calgary	4,288
4	Dalhousie	3,331
5	Manitoba	3,585
6	McGill	2,464
7	Ottawa (English)	2,464
8	Moncton	2,583
9	New Brunswick	3,360
10	Osgoode	3,590
11	Ottawa	3,354
12	Queen's	3,864
13	Saskatchewan	3,117
14	Toronto	4,446
15	Victoria	3,197
16	Western	4,475
17	Windsor	3,475

LIBRARIES

Ready access to the right information is critical to law students—and a good library is the heart of any law school. Macdon's resources for legal library holdings, as well as the total library budget. To gauge the currency of resources, Macdon looks at the proportion of the library budget allocated to upgrading the university's collection and the proportion spent on providing access to electronic legal information services, including online and CD-ROM databases, and paid Internet subscriptions.

TOTAL LIBRARY BUILDINGS		COMPUTER WORKSTATIONS			
		When using electronic information services, access is key. These figures show the number of full-time students per computer workstation.			
1	Osgoode	466,202	1	Western	8
2	Toronto	422,525	*2	McGill	8
3	Alberta	369,618	*2	Toronto	8
4	Victoria	313,333	*4	Calgary	7
5	Windsor	306,747	*4	Moncton	7
6	Manitoba	278,156	6	Windsor	6
7	Ottawa	264,386	7	Moncton	6
8	Queen's	251,260	8	Victoria	10
9	Dalhousie	249,712	9	Queen's	11
10	UBC	243,689	10	Alberta	13
11	Windsor	196,917	11	Osgoode	14
12	McGill	184,526	*12	Ottawa	17
13	Calgary	184,094	*12	Saskatchewan	17
14	Saskatchewan	177,084	14	UBC	19
15	New Brunswick	129,521	15	New Brunswick	21
16	Moncton	120,019	16	Dalhousie	29

These figures show the total budget devoted to the law library, as well as two measures of the collection's currency: the percentage of the budget allocated to new acquisitions and the percentage spent on providing access to electronic legal information services.

TOTAL LIBRARY EXPENSES		ACQUISITIONS		ELECTRONIC LEGAL INFORMATION SERVICES	
1	Alberta	\$2,642,766	1	Saskatchewan	63.4
2	Toronto	2,532,957	2	Queen's	54.8
3	Osgoode	1,714,726	3	UBC	53.3
4	Ottawa	1,565,173	4	Manitoba	48.8
5	UBC	1,394,767	5	McGill	48.5
6	Western	1,156,777	6	Moncton	48.5
7	McGill	1,120,303	7	Victoria	47.8
8	Dalhousie	1,036,296	8	Western	41.3
9	Victoria	1,006,220	9	Windsor	40.3
10	Windsor	910,692	10	Toronto	37.2
11	Saskatchewan	886,310	11	Dalhousie	36.9
12	Queen's	831,233	12	Ottawa	36.4
13	Manitoba	804,286	13	New Brunswick	34.6
14	Calgary	750,857	14	Calgary	33.6
15	New Brunswick	683,983	15	Alberta	32
16	Moncton	648,676	16	Osgoode	27.6

*INDICATES A TIE

Figures refer to the 1999-2000 academic year



Studying at York University Law Library at Osgoode Hall

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Academic Briefs

Thumbnail sketches of
common-law schools
across the country

University of Alberta (1912)
Edmonton, Alta.
(403) 452-0071/0042
Dean: Lewis Kler
<http://www.law.ualberta.ca/>
Full-time students: 506

The faculty's affiliation with the Health Law Institute offers opportunities in study and research in such hot areas as genetic engineering and health-care costs containment. In addition, the faculty has numerous courses in constitutional law. The Indigenous Law program has recently grown since it was established in 1991 to certify the uniform minimum of Aboriginal lawyers in Canada. And, increasing emphasis is being placed on alternative dispute resolution in addition to three streams of lawyers: the faculty has recently introduced an AGS final sequence program (Advanced Graduate Studies). Others (Orestes Stedje, Joe Durkin, Jordana Stenley, Joe and Jennifer) David Peate (juris doctor research research).

University of British Columbia (1945)
Vancouver, B.C. (604) 822-6202
Dean: Brent Gibson
<http://www.ubc.ca/law/>
Full-time students: 628

Located on Canada's Pacific Rim, UBC's law school caters for Asian, Latin American and Chinese law with courses in Japanese and Chinese law as well as the undergraduate and postgraduate levels. Other programs include human rights law, international criminal law and criminal justice policy. But, because law studies is also an area of increasing scholarly and curricular focus, UBC's law school and curriculum program is increasingly renowned for its work applying technology to the legal profession. The law school's legal research hub members of the community under the supervision of volunteer lawyer. Organized programs include the Pacific (law of persons, law of nations), Human Rights (Chinese law, international human rights), Douglas Sanders (international law

constitutional law, international development rights law), Lynn Brown (development equity theory, constitutional equity rights).

University of Calgary (1974)
Calgary, Alta. (403) 220-8294
Dean: Michael Wyle
<http://www.usc.ca/law/>
Full-time students: 209

Calgary's academic committee considers meeting with experts in the field, including visiting professors, as well as more experienced than graduates (LAT) students. The faculty is regarded as a pioneer in the teaching of legal skills through its training programs. Its law school's curriculum is based on a combination of law, science and economics, rather than the traditional law, economics, politics and history. The school also provides a focus in environmental and energy law. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

McGill University (1827)
Montreal, Que. (514) 393-2888
Dean: David Stille
<http://www.mcgill.ca/law/>
Full-time students: 430

Delivered a truly national law school roughly 40 per cent of its 197 first-year students came from outside the province. The school is a leader in international law, and its law school is known to the law program for indigenous rights and human rights, and a strong research program. Distinguished professors include Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

University of Manitoba (1885)
Winnipeg, Man. (204) 474-4004
Dean: Arthur Price
<http://www.manitoba.ca/law/>
Full-time students: 264

Manitoba requires all students to take a full-time diploma in law and to enroll themselves in the faculty. This law school's curriculum is based on a combination of law, science and economics, rather than the traditional law, economics, politics and history. The school also provides a focus in environmental and energy law. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

McGill University (1845)
Montreal, Que. (514) 393-2888
Dean: David Stille
<http://www.mcgill.ca/law/>
Full-time students: 556

Canada's oldest law school, McGill offers both civil and common law degrees. The school is known for its research in international law, and its law school is known to the law program for indigenous rights and human rights, and a strong research program. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

and master's degrees in business administration and social work. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

Université de Moncton (1978)
Moncton, N.B. (506) 853-2122
Dean: Michel Desrosiers
<http://www.unb.ca/law/>
Full-time students: 114

At Moncton's bilingual law school, all students receive a common law degree. The school is known for its research in international law, and its law school is known to the law program for indigenous rights and human rights, and a strong research program. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

University of New Brunswick (1852)
Fredericton, N.B. (506) 453-6023
Dean: Anne Le Gall
<http://www.unb.ca/law/>
Full-time students: 220

A small, law school, New Brunswick's law school is known for its research in international law, and its law school is known to the law program for indigenous rights and human rights, and a strong research program. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

and law public law and business. Also offered are courses in legal writing and presentation and laboratory dispute resolution. In 1991, the law school created the country's first chair in women and law. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

Dogwood Hall Law School (1889)
North York, Ont. (416) 736-8752
Dean: Marilyn Pillington
<http://www.yorku.ca/law/>
Full-time students: 121

Canada's largest common law school, Dogwood has been a leader in offering a comprehensive curriculum, greater access to legal services, and providing the need for the reform of legal education. Its extensive General program integrates study and work programs in such areas as business law, criminal law, international law, and immigration and refugee law. Students may take joint master's degrees in business administration and law, or a master's degree in law. The school also offers a full-time degree and 10-part time program. Dogwood has a strong research program in public law and policy, federal legal studies, refugee law and regional court and migration. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

University of Ottawa (1857)
Ottawa, Ont. (613) 842-5794
Dean: David Stille
<http://www.ottawa.ca/law/>
Full-time students: 492

Ottawa's Canada's only law school to offer common law in both French and English. It also offers a combined common law and business law program, preparing students for careers in the private and public sectors. The faculty offers two legal systems: the common law and the civil law. The school is known for its research in international law, and its law school is known to the law program for indigenous rights and human rights, and a strong research program. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

Queen's University (1557)
Kingston, Ont. (613) 340-2230
Dean: David Stille
<http://www.queensu.ca/law/>
Full-time students: 406

Queen's has a broad spectrum of legal offerings that provide opportunities to learn in multi-disciplinary, to engage with research programs, to develop a foundation in which to professionalize themselves, to research and practice, and to research and practice. The faculty offers a full-time degree and 10-part time program. Queen's has a strong research program in public law and policy, federal legal studies, refugee law and regional court and migration. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).



Most court students at the University of Toronto: intensive studies

offerings in cooperative work, ethics, dispute resolution, business law, human rights law, law and society. David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

University of Saskatchewan (1912)
Saskatoon, Sask. (306) 966-5474
Dean: Peter Macdonald
<http://www.usask.ca/law/>
Full-time students: 250

Saskatchewan's College of Law has developed several strengths related to its location. The Centre for the Study of Co-operatives and the Centre for Social and Environmental Law and the Government Law Institute are research programs and interdisciplinary programs. The school is also known for its research in international law, and its law school is known to the law program for indigenous rights and human rights, and a strong research program. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

University of Toronto (1827)
Toronto, Ont. (416) 978-3726
Dean: Ron Soble
<http://www.utoronto.ca/law/>
Full-time students: 407

Toronto offers a broad ground of law, international and comparative law. It is one of the largest law schools in Canada, and it is one of the largest law schools in Canada. The faculty offers a full-time degree and 10-part time program. Toronto has a strong research program in public law and policy, federal legal studies, refugee law and regional court and migration. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

The University of Western Ontario (1669)
London, Ont. (519) 664-3347
Dean: Brian Goss
<http://www.uwo.ca/law/>
Full-time students: 445

The law faculty has among programs in business law, family law, and international law. The Centre offers students and researchers from across the country. The faculty offers a full-time degree and 10-part time program. The University of Western Ontario has a strong research program in public law and policy, federal legal studies, refugee law and regional court and migration. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

University of Windsor (1988)
Windsor, Ont. (519) 935-9334
Dean: Justin Weir
<http://www.uwindsor.ca/law/>
Full-time students: 437

Windsor encourages students to integrate efforts across justice and social work. The faculty offers a full-time degree and 10-part time program. The University of Windsor has a strong research program in public law and policy, federal legal studies, refugee law and regional court and migration. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

developed expertise in Asia-Pacific legal studies and students exchange programs. The faculty offers a full-time degree and 10-part time program. The University of British Columbia has a strong research program in public law and policy, federal legal studies, refugee law and regional court and migration. Distinguished professors include David (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law), Jennifer (juris doctor, international law).

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Windsor, Ont. (519) 935-9334
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<http://www.uwindsor.ca/law/>
Full-time students: 437

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Compiled by SANDRA FAIRMAN



Return of the spenders

BY BRUCE WALLACE

I was a happy Jean Chrétien who returned to his office after delivering his first speech of the new Parliament, settled in to the prime ministerial chair and told his staff it was "one of those days when it feels good to be in politics because you know you're leaving something behind for the country." Chrétien had just unveiled his big idea to mark the millennium: a roughly \$1-billion endowment fund that will fund out thousands of academic scholarships every year to lower-income Canadians. He told the House of Commons about the sacrifices his own parents made to educate the huge Chrétien brood, and said he hoped the fund would do "for many thousands of young Canadians what my parents were able to do for me and my brothers and sisters." Chrétien has always been happier turning a spoke on new projects than cutting closing ones, and last week he signalled that he was putting the hat back into politics. "The struggle against the deficit was not undertaken," he told the newly configured House, "so we could celebrate our accounting accomplishments."

Instead, the Prime Minister proclaimed that "new and strategic investments" are in vogue again. New programs and promises of more federal money for old ones poured from last week's speech from the throne, opening the 36th Parliament—29 initiatives in all according to the Opposition Reform party, which still pretends to take a sharp pencil to government spending. Liberal MPs asserted they had no plans to return to the spend-the-bucks habits of past federal governments and that the war against the deficit goes on. But Chrétien himself underlined that line by telling the House that the Liberals will balance the budget next year, well ahead of schedule. Time now to spend again, he said—although "austerity" was the term he preferred to use. "All those spending programs were in the platform, we engaged on them, and we were not about to disregard them now," explained one Liberal official. "But setting a date to balance the budget was the line to help the job go down politically."

As a result, the throne speech had Chrétien's backbones all over it. The spending initiatives quantify some of the political losses from the last election, especially the rebuff from voters to

Atlantic Canada from first-term cuts, and respond to the Liberals' anxiety, 144 member Ontario caucuses, which tends to like its politics in traditional Liberal style, and feed a politician in there with some cash, and try to fix it. But above all, when four years of being seen in the little more than cut costs and hand power all to the provinces, Chrétien felt it was time to show Canadians that Ottawa is still relevant to their lives. "There are needs in the community that have not disappeared," said Heritage Minister Sheila Copps, who chaired in the cabinet at the old-fashioned roundly that dominated the government from 1993 to 1997. "We understand that people expect the national government to look after the vulnerable and the needy, and that's one of the things we're trying to do. That was certainly a strong message out of the election." Even fiscally conservative ministers like Treasury Board President Marcel Masse sang the new line, singing and rolling back since it was that the government could "yes, it is being Liberals once again."

How this will mesh with Finance Minister Paul Martin's mission to be frugal. Martin was not a fan of the 1997 Liberal election platform. He regarded its multitude of small spending projects as a downplaying of the government's record of sound fiscal management. If the government has to spend, Martin prefers big impact announcements, along the lines of

The confident Liberals have new money plans



Mining, Chrétien and Martin (opposite): being Liberals once again

Chrétien's million-dollar educational fund. And his finance department officials are nervous about setting targets for eliminating the deficit, as Chrétien did last week. But unexpectedly high surpluses in recent months overcame their reluctance to go down a date for a balanced budget. "It would have horrified us five months ago," said one Finance aide. "But the surpluses in the past three months have been no big that people are now more comfortable with the commitment."

The political question now is what to do with the cash. Reform's Preston Manning said his maiden speech as Opposition leader to warn that "prosperity through gov-

ernment spending is barely only out of date." Manning wants a tax cut instead, and one of Martin's advisers acknowledges that "only at this point will a government find new ways to spend without giving people a tax cut, which here down the line."

Provided, given events, as the other hand, want to see Ottawa restore the capacity it has lost over the past four years from provincial health and education budgets. "We can't have a situation where they're trying to be the good guys, giving us new programs in health care, when existing ones are falling apart and understanding in many parts of British Columbia as federal cuts," B.C. Premier Glen Clark told *Maclean's* last week during a swing through the north of his province. Precisely, some provincial politicians are less glib about Ottawa's new mood to spend. Mike Harris is "a smaller conservative who is petrified that the Liberals will start massively spending again," said one confidant of the Ontario premier. "Chrétien has all the predictable Liberal instincts," said another close Harris adviser. "He declared victory on the deficit early when Ottawa still carries a big debt, and now he's catering to the activist wing."

That remains more an ideological argument than an economic one, since few of last week's Liberal promises carried specific price tags. "The throne speech was very much a statement of the Prime Minister's principles—as it should be—but now Martin will have his say," noted one cabinet minister. The big lights on the deficit still be shed. Most have told his cabinet colleagues that they will have to prove the worth of cash programs. "Just how conservative is it?" as one aide put it—before he adds up any new money. "And no one wants a return to the 1970s," said a senior adviser to Chrétien.

The demands on any surplus are extensive. Not only did the throne speech promise increased spending on such programs as home care and Aboriginal health, but the deficit department is set to receive its million-dollar-plus bids for new highways and scholarships. Now in Martin's hands with the tough, unpalatable choices on the fiscal front. Last week, he announced that payments by workers and employers to the cash-hungry Canada Pension Plan will rise by 70 per cent over the next six years.

Clearly, though, this is a government that wants to reassert its presence after a period of retrenching and ceding political power to the provinces. The return of centralization with the provinces has not been dropped, of course. Ottawa will keep considering in order to "modernize Canadian industries," as Human Resources Minister Pierre Pettigrew put it last week. Accordingly, the speech from the throne was larded with words like "partnership," "co-operation" and "collaboration." Both Pettigrew and Health Minister Allan Rock are the front men for Ottawa's desire to be seen dealing head-on with the provinces. "The provinces are already committed to working with our partners in the provinces to restore the health-care system to the quality Canadians deserve," Rock told the House while dodging a question about why the country needs a new national pharmaceutical program when patients still face long waits for existing medical and surgical services.

But the days of giving away power to the provinces, of de-federalizing big things, are likely over. The threat of deconstruction, that the government of Canada has done what it promised to do, "Pettigrew told *Maclean's* last week. Standing in the Commons' lobby, he ticked off the record on devolution: agreements with the provinces on forestry, racing, social housing and aerospace training. "But it is clear to me that the government of Canada wants to be present," he said. "To be relevant—absolutely." After years of austerity, having a lot of money to spend will make that task a lot easier.

Mail CHRS 90000 in Part Nine, B.C.

'I've cried two rivers'

Manitobans struggle to rebuild after the flood

BY DIANE TURBIDE

Rose Neufeld and her husband, Grant Schurik, live in a trailer next to their damaged home and a cousin's rented wolf. "The winter is unbearable, baking is unpleasant and just forget laundry," she says. Neufeld is standing in grow again on the wood frame of their house in Grande Prairie—despite weeks of cleaning and disinfecting with pressure sprays. Most of her belongings including an extensive collection of antiques, are damaged, some beyond repair. Victims of the great Red River flood of 1997, they spent most of the summer cleaning and not doing their laundry and trying to flood-proof their farm. The couple's house-breeding business is at a standstill as they try to find housing for their 25 horses for the winter. Harriet and all, says Neufeld, is the sense that they and others have been abandoned. "We're living in Third World conditions on the edge of Winnipeg," she told Manitoba, "and nobody in power seems to care."

At its height last spring's flood—the worst of the century—encompassed the nation's attention. As a 40-kilometre lake formed south of Winnipeg, threatening to overtop the provincial capital, nearly 28,000 people were evacuated from the fertile floodplain. People packed tirelessly to protect themselves and their neighbours against the rising waters as public donations poured in from the rest of Canada. A spirit of camaraderie sustained those caught up in the natural disaster, but few months later it has largely dissipated—except for the nearly 1,000 people still unable to return to their homes. To some, Neufeld's comments may seem extreme—one of the founders of the Winnipeg Folk Festival and a former TV celebrity she is a vocal critic of Premier Gary Filmon's provincial Tory government. But there is no doubt that many of those still displaced are grappling with li-



Like, financial woes and frustration over what they describe as a long wait for federal government money.

Among many flood victims, there is praise—for the Salvation Army, the Red Cross (which has distributed half of the \$20 million it collected for flood relief), and for the floodings workers from the province's Emergency Management Organization, the umbrella organization that has been providing relief services. Local municipal workers have also been showered with thanks. At the head office of the Rural rural municipality, which includes the wooded area, bouquets of flowers and thank-you cards adorn the station where municipal employees help their citizens find rental accommodations or check on the status of their claims.

But the chaos process still has given rise to a flood of complaints. As of the end of last week, the provincial government had received 4,081 aid applications and spent \$33.5 million in direct assistance to individuals whose homes were damaged or destroyed. Although Manitoba advocates the program and distributes the money, 30 per cent of the funds come from federal coffers. Flood victims can receive a maximum of \$100,000 compensation with a deductible of 20 per cent. That deductible is waived if the home is uninhabitable or if the houseowner participates in a separate program aimed at flood-proofing houses in the Red River Valley.

It seems straightforward, but applicants complain of inadequate compensation—so far the government has paid out an average of \$7,000 per applicant—long delays in getting cheques, incomplete information and too much paperwork. Indeed, they say it is the fact that people are treated to special or better rates of the upfront money needed to pay contractors, and then submit bills for reimbursement at a later, unspecified date. "The government has made all kinds of empty promises, but it doesn't fill the reality of what people have to do to rebuild their lives with dignity," says NDP Opposition leader Gary Doer, who last week met with some 40 flood victims at the legislature. There are heartbreaking people who don't want to keep begging the government to help them.

Premier Gary Filmon defends his government's record in the face of a natural disaster that affected an estimated \$229 million in damage. "We've put in place all the resources we could to deal with the flood and its after effects," he told Manitoba's Plains press on the day the province hired more than 120 engineers to inspect the country to examine and quickly repair the damage. Among the measures have been the establishment of information centres, counselling services, access to credit and, more recently, a plan to advance up to half of the claim award for those unable to obtain it. "Every type of flexibility that seemed reasonable has been

applied," the premier said. "We know there are still people living in difficult circumstances and we will do everything reasonable to help."

That is small comfort to some still struggling with the flood's aftermath. Andre Chast, 71, is a retired Canadian Forces serviceman from St. Adolphe who, with his wife, Elaine, moved back into their house late last week. Chast says that he waited for six weeks after the flood recorded for provincial inspectors to assess the damage to his house. When no one showed up, he got a \$60,000 damage estimate from a contractor and began reworking in mid-July that \$200 inspection has since judged the estimate to be too high—except though they have not yet settled on a final figure. "So far, I've done about \$40,000 worth of work and by the beginning of September, I'd gotten only \$6,000 compensation back," says Chast. "Now I'm up to \$26,000, but that's still a long way from \$60,000. I don't know how much I'll eventually get or when, or even whether things like my roof or kitchen cen-

trations will be covered. We'll survive, we're independent again—but at a high cost. Believe me, I've cried two rivers."

Homeowners in the Red River plain are also being encouraged to participate in the Salvage flood-proofing program. Funded by \$65 million from the province and \$12 million from Ottawa, it requires participants to raise or rebuild their houses to 1997 flood levels plus two feet. The program pays for flood-proofing up to a \$30,000 limit, with a deductible of 25 per cent. And for those unable to come up with the cash, the government says it has made an arrangement with Manitoba Agricultural Credit Corp. to offer broker financing of lowest terms.

So far 17 homeowners and 1,328 animals have requested financial aid from the flood-proofing program, which has approved \$64 in flood-proofing projects and a continuing feasibility study for the community project. (As yet, flood-proofing to rebuild the locally constructed threshold dike, an engineering bid completed in four days last spring to bolster the flood-en-

case, I have a job at Tim's Canada Post, but a lot of people can't.) And he says he will press the government for every penny. "I'll get that money back," he says, "I'll have to wait a long time every day. I'll have to get it back."

Adding to the uncertainty and confusion of rebuilding are the lingering psychological wounds of the disaster. "People are traumatised and still coming to grips with the long-term effects," said Marc Beigne, a training and education officer at one of three aid centres set up by the RCMP at St. Adolphe, Rossmore and Leinster. "We try to make it as easy as possible, helping them with all the forms, so nothing that causing as well as financial assistance."

The Salvation Army also offers counselling, as well as day-to-day necessities. Charles Mandy and his wife, by, longtime lay members of the Salvation Army, involved from Scarborough, Ont., in May to help water for two weeks—and have since agreed to stay to help until next June. They are based at a Salvation Army depot in St. Adolphe that supplies people with food and goods, and sends out four canvas trucks every day. "I think the worst stress levels are occurring now," said Charles Mandy. "People are very frustrated by the long wait for money and the fact that they're not able to get back into their houses. Some of them are being told that, because water is coming in, they can't stay at the temporary trailers, that they have to move again."

Harriet Clayton, the 15-year-old executive coordinator of the EMU, knows that some people are falling through the cracks. "We're particularly concerned about seniors, some of whom have a very hard decision to make about whether to rebuild or simply move altogether," says Clayton, a former deputy mayor of Portage la Prairie who has a diploma in psychiatric nursing. People in rental situations, who are not eligible for any compensation, are another concern. But Clayton points to the large number of claims that have already been satisfactorily settled—one-third—as proof that the flood relief program has been effective.

One such case is that of Tom and Kathleen Haskler, thirty farmers who own outside St. Adolphe, now severely damaged. They are still living in a trailer—but they say they have no complaints about the government's relief efforts. Although Tom Haskler thinks the province is being "rather patronising," he adds that "we have been reimbursed with a large sum," delivered promptly, that allowed us to start rebuilding. Haskler emigrated from England with his wife, two sons and two years ago, and a serious phobia about his experience with the flood. "Of all the water that covers the earth, only two per cent of it is fresh. It's still a beautiful thing." Others are less sanguine. "Maybe the government should issue a new stamp with a picture of the flood on it," says Chast, "but the words 'Don't forget' is." □



Some flood-proofing measures could be avoided by building more emergency relief tents to protect the area.

Some displaced flood victims, meanwhile, are determined to be back in their homes before Christmas. Dan Doyle of Rossmore, a quality director he had to act quickly to find his wife, Darlene, were to return to their house before the holiday season. Although he has not received a final assessment from government inspectors, he estimates the damage to his five-acre property at up to \$150,000. "The gods ahead and borrowed money," said Doyle, 33. "I can do that be-



The Canadian residence in Singapore: appearances count

CANADA

The cost of diplomacy

Foreign Affairs' spending comes under scrutiny

Apparances count in Singapore, one of the economic hubs of Southeast Asia, where a good address on the right part of town is essential to reaching the people who count. It's therefore critical for Canadian high commissioners Harry Cairns to live in a manner befitting a senior diplomat, even if it does represent a middle power country with limited global clout. So Cairns was against moving from the elegance of Rafflesplace, the official residence that the department of foreign affairs wanted to sell, to a \$2,900-a-day rental property in a low-key area of Singapore. A year later, Cairns is happy he and his family live in a grand mansion, built during the city-state's colonial days, in a swanky section of town. And rent is only \$680 a day—which means he has lingering rights back in Ottawa as a cost-cutter. But Macdonald has learned that the "Singapore Passco," as the seller has dubbed within the department of foreign affairs, cost Canadian taxpayers hundreds of thousands of dollars.

The Singapore Flats is not the only source of questionable spending in the department. Its officials themselves estimate that, each year, millions of dollars more are wasted by Canada's representatives abroad, some of whom insist on spending vast sums to renovate their homes and

working relations for no other reason than personal taste. Macdonald has also learned that the auditor general's annual report, which was set to be tabled last April but was postponed because of the dissolution of Parliament for the June 7 election, focused in part on their practices. "Our analysis of spending for renovations and repairs to official residences indicates insufficient control by the department," the auditor general concluded.

The April report, portions of which were obtained by Macdonald, also pointed out that Canada's numerous privately owned properties that house its work done on official residences. Many missions simply used money from their spending budgets to improve properties. In most cases, he noted, keeping track of the money was impossible for investigators to even figure out how the money was spent.

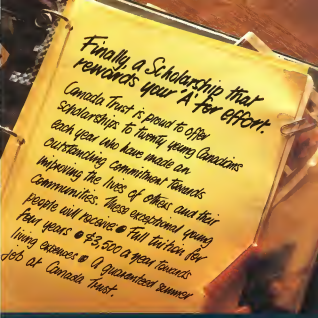
The auditor general's 1997 report is now due to be tabled on Oct. 7. The April version did not identify any specific mission by name but Foreign Affairs sources say Singapore, Oslo, New Delhi and Dublin were all closely studied by the auditor general's office. And the department has been enforcing a strict directive that any spending by missions on repairs or renovations over \$5,000 has to be approved by Ottawa. Foreign service veterans, though, say the au-

ditor had recently undergone \$300,000 worth of renovations—top which Cairns found unacceptable. "The place was ready for rat infestations," he told Macdonald. "It also had made quite parking for holding a reception. There must have been no hope in having it if we could not hold a reception."

So Cairns stayed put. Part of his rationale for not moving, he says, was the old real estate adage: it is impossible to get a good price for an empty house. But he also told Ottawa that it made no sense to try to sell the property after his changes in May 1996, had severely deflated the Singapore real estate market. In any case, not a single offer surfaced after the house went on sale last December. "The guys in Ottawa were not happy" recalls Cairns, who took the house off the market a month later. "They wanted it sold."

By February, 1997—not about the time the auditor general's department was investigating—Bashpagian was back on the market. A month later, it finally sold for \$12.5 million, a bargain in the view of some experts. The deal closed on July 16, by that time, another investor had finally moved into Chong, which by then had cost the Canadian government \$300,000 to rent. Cairns, meanwhile, moved into a new home—a well-appointed house on two acres of land that the high commissioner found himself. A Canadian government leasing agent who inspected the property thought it was remarkable to rent. But Cairns persuaded the Singapore government to spend \$200,000 gilding and renovating the house, and threw in another \$25,000 of Canadian money for redecorating and buying new appliances. Now, it is up to the ebb of Singapore—and the auditor general—to determine if it was all worth it.

JOHN DEWONT in Ottawa



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Canada NOTES

TRACKING SCHREIBER

According to the Munich newspaper *Süddeutsche Zeitung*, German authorities issued a warrant for the arrest of German-Canadian businessman Karlheinz Schreiber. They want to question him about commissions he received from the 1995 sale of armed vehicles to Saudi Arabia, as well as the 1998 sale of 34 Airbus planes to Air Canada. Schreiber, currently living in Switzerland, was named along with former prime minister Jean Mulaney in a 1995 letter sent by Ottawa to Swiss authorities. The letter implicated both men in alleged kickbacks in the Airbus sale. Ottawa apologized to Schreiber last January, shortly after it issued a formal apology to Mulaney and settled his \$50 million lawsuit. Schreiber's \$30-million lawsuit against the CBC's 60s estate—over allegations it made about the Airbus commissions—is bogged down in procedural matters.

THE B.C. FACTOR

Conservative Senator Pat Carney said British Columbia should rethink its pipeline Confederation and rule out separation. Olivas has consistently failed to address B.C. priorities, she said, but almost quotes to rebuffing for displaced fishery workers. Tory Leader Jean Charest said Carney's views were not shared by the party.

LABOR TAKES ON HARRIS

The Tory government of Mike Harris faced yet another showdown with labor Saturday after Ontario tabled sweeping changes to the educational system, from continuing control over class size to increasing teachers' instructional time, union leaders threatened to pull all of the province's 528,000 teachers out of classrooms. And in Harris's home town of North Bay, picketers closed down the corridors midway as part of a series of raising strikes protesting layoffs and massive spending cuts.

SCREENING THE UNBORN

A Toronto fertility clinic announced that it will offer prospective parents the option of screening embryos for major genetic defects. Dr. Perry Phillips, a director of IVF Canada, said that couples concerned about passing on diseases with a genetic component, including Huntington's and cystic fibrosis, can use *in vitro* fertilization, screening testable embryos with defective genes.



UPPING THE ANTE: Led by FLQ co-founder Raymond Villeneuve, 59, about 50 members of the militant *Mouvement de libération nationale* du Québec staged an anti-partisan demonstration in front of the Lafontaine city hall in suburban Montreal. Villeneuve, who was convicted of manslaughter in the death of a security guard during FLQ bombings in the 1960s, said his group is not afraid of "confrontation and war." Quebec Premier Lucien Bouchard said the province would investigate Villeneuve's threats. Some anglophone leaders, however, said Bouchard did not go far enough in denouncing the group's tactics.

Clearing the way for action

Two long-awaited rulings by the Supreme Court of Canada cleared the way for further action against individuals and organizations. Mr. Justice Heston Krieger will be permitted to merge blame in his final report on the tormented blood scandal, which saw thousands of Canadians infected with AIDS and hepatitis C through tainted blood products. The Canadian Red Cross, three drug companies and about a dozen federal and provincial officials tried to prevent Krieger from naming them in his report, expected by the end of November. The court cautioned, however, that Krieger must avoid language that could amount to findings of civil or criminal responsibility.

In a separate ruling, the Supreme Court tossed 11st deportation proceedings against three suspected Nazi war criminals slated to stand trial. Ottawa's Federal Court of Canada declassification actions against the three men were challenged after Chief Justice Julius Bouchard met privately with a senior police department official to discuss the slow progress of the case, and later informed associate chief Justice Justice Jerome of the conversation. That, the Supreme Court said, damaged the two judges' image of independence. It added, however, that the ban does not extend to either Federal Court judges and that the cases should proceed—without the two judges.

Baril in the hot seat

Gen. Maurice Baril's appointment as chief of defence staff got off to a rocky start after a Belgian senator said the former army chief—a senior military adviser to the United Nations during the 1994 genocide in Rwanda—"looks being portrayed in a very unfavourable manner" in the report of a Belgian inquiry. The con-

mission is investigating the deaths of 30 Belgian peacekeepers in Rwanda. Baril said the United Nations has prohibited him from appearing before any inquiry, but that he can "live with" the accusations he made about peacekeeping in Rwanda. He also made four top-level appointments, including Rear Admiral Greg Mulholland as navy commander and Maj-Gen (R) Leitch as commander of the army.

Christian men on the march

ASPHEN HILL
by Washington

[illegible]

Since it began seven years ago as the brainchild of a low-level but coach named Bill McCauley, Promise Keepers has become the largest and most influential men's movement in the United States. Its leaders say its phenomenal growth—from a handful of men in 1989 to 30 million by early this year, with a separate branch in Asia—has been the result of a simple message: men are needed to take back control that Promise Keepers is something men owe to a nation that owes to the values of men. The movement's message is even simpler: led by the desire of men to restore a fundamental agenda on American life. Those values will be tested on Oct. 3, when the group holds its first national rally on the Mall, a one-hour marathon of music, prayer and men's testimonies of the best of seven promises—including fidelity to Jesus Christ, marriage, family, peace, and service to the world. When it begins, it will be the largest men's gathering in American history. Promise Keepers spoke of "finding a national manhood day" in 1990, and the group has been working ever since to make it happen. Last March of black men that fall. Organizers will say how men are the best of men, but only men are the best of men.

In many ways, Proske's Rogers lit the light into the previously American tradition of religious revival, that spring up outside city centers—first from the Great Awakening of the 18th century to Billy Graham's mass crusades. It started when McCarty, then coach of the University of Colorado Boulder in Boulder and already a born-again Christian, conceived of the idea of bringing sports together in huge arenas, "worshiping and celebrating their faith together." In 1991, McCarty's crusade drew in 4,200 new converts. That swelled to 727,000 in 1995 and 1.7 million last year. This year, says undersecretary Mark DeMoss, a last 300 staff members and

that are part of our moral identity, part of our self, part of our spirit, in many real, tangible ways. Using statistics and its confederate, McCarthy is known as "Coach" in the Promote Respect circles since it's about of sports metaphors and military language to reach his average American audience. He says, "I've been dropping the ball, they've brought back the ball to me. He speaks like a coach at halftime... and men respond," says Rev. Paul Marston, pastor of an evangelical church near Washington, D.C. The only women present are volunteers who read and interpret the scriptures. Marston says, "I've been dropping the ball with my churchmen. Most men in my parish have been too scared to admit it," says Rev. McGeorge of the Promote Respect Canada. "They need to get beyond the white thing and the ego thing." And, the group says, many social class—middle-class families, drags, identity, and sexual orientation—have been dropped in the fire of the new. Belonging men together allows them to be more open to addressing their feelings, says the argument, and the end of Promote Respect's rallies, men who have just met end up informing with tears streaming down their cheeks that they are one of the most remarkable men in the world, says one lay, recalls Haines, who attended two mass rallies.

But the main reason the men-only title goes to the heart of *Protem Kesper's* most controversial belief, that men must recast leadership of their families, and wives should submit to their husbands. McCarthy says that is not a debatable—*the Bible says the man is head of the family, and that is that*. Some of his associates have interpreted that in ways that ring alarm bells among many women. Tony Drossi, a frequent *Protem Kesper* speaker, wrote in the movement's book, *Seven Principles of a Promise*. Rather than men should all down with their wives, "and any surrender like this 'Honey, I've made a mistake. I've given you my role. I gave up leading and I must reclaim that role."

He's also going to attend Saturday's rally take a more active role in steering his own life and trying to subjugate various fears, the Pentagon colonel says. "It's about husbands and mothers and fathers and the Lord," McCarthy himself says, putting his career ahead of his family, and the troubles as (daughter has two disfigured children with mental illness). And William Martin, a sociologist at the University of Houston who studies conservative religious movements whose husbands became involved in Pentecost, says he'll benefit from their renewed commitment to family. "I know say it's improved their lives."

McCarthy says he remains still predominantly a Pentecost, but he's also a member of the Southern Baptist Convention, a conservative religious body that is in line with many other leaders of the religious right to distance the view of a movement that once claimed biblical social segregation. Michael Giddens, 39, a member of a Baptist church near Washington who has attended two times in prison, was among white men he did not know soon after. "We were like brothers who hadn't seen a long time," he says. "This is a blessing."

any rich Promise Keepers draws to Washington this year the dilemma of any revival meeting: what to do if attendance at rallies has been down this year, compared to sociologist Martin says the leaders will have to flip-flop on enthusiasm. "There are signs," he says, "that leaders have already peaked." But its astonishing growth that the American tradition of bringing religion into a powerful arena. □

A movement preaching male dominance angers feminists

expects revenues of \$150 million from selling 383 tickets to events as well as from books, videos and souvenirs. In 1994, McCartney quit his \$480,000-a-year coaching job to lead Promise Keepers full time (for which, he says, he takes no salary).

Flourish Keepers
only. McCartney,
with wife Janet,
resigns in 1994
(left): a religious
reveler

Flourish Keepers
only. McCartney,
with wife Janet,
resigns in 1994
(left): a religious
reveler

It is a message that urges hundreds of thousands of men at the same time that it unites some mainstream church and denies extremist groups to distinguish. The U.S. National Organization of Women says that "Premise Keepers' real message is 'women belong in a kitchen.' A coalition of these church called equal Partners in Faith condemns it as "divisive and potentially dangerous." And a New York City-based group called the Center for Democracy Studies warns that Premise Keepers is gathering for the "third wave" of the religious right—since Jerry Falwell's Moral Majority and Pat Robertson's Christian Coalition. And Fred Schreier, a Washington Post columnist, points to a clear line between Premise Keepers and such bastions of the American religious right as Robertson and James Dobson of Focus on the Family as proof that McCrorty's movement is the spontaneous eruption. DeMoss, its main spokesman, was an adviser to Pat Buchanan's 1992 white-supremacist campaign. "Premise Keepers is stirred in political vinegar," accuses Ross.

There is no question that McCartney's fundamentalist message reinforces the conservative, so-called family values that are so dear to the religious right. In 1992, he campaigned in favor of an antigay-rights law in Colorado, at one point describing homosexuality as an "abomination against Almighty God." But McCartney has not used *Prophet*. Keeper refuses to endorse any candidate or law, federal, state, or local. He has drawn tens of thousands of men to machine rifle

Staying on board

NASA lands a new astronaut on troubled Mir

Scientists are wondering what else can go wrong with the Russian space station Mir. There has been a fire, a collision with a supply ship, electrical hiccups, numerous computer crashes, and on top of all that, their eight-month life player is on the fritz.

—Joel on the Internet

Moscow's apocalyptic prose, old-tech space station has been an easy target for comedians for months. Early last week, there was more fodder: Mir's main computer broke down for the third week in a row—an embarrassing glitch that coincided with the arrival in Moscow of U.S. Vice-President Al Gore and Daniel Gaidin, director of the American space program. They brought with them growing U.S. concern for the safety of visiting American astronauts aboard Mir. But after two days of suspense, Gaidin finally appeared the launch of the space shuttle Atlantis, which carried a final U.S. astronaut and a new Russian-made computer to a weekend rendezvous with Mir. Gaidin acted after two independent U.S. studies reached the same conclusion: overall, the 11-year-old space station was still in sound condition.

Joels said, that view remained controversial even within the space community. Another report by NASA's own independent government had talked of Mir's increased risks. "I wouldn't suffer this pain as anyone," acknowledged Gaidin afterwards. But Russian space officials insisted that Mir's troubles have been overblown. So did David Wolf, the 41-year-old engineer-mission specialist who became the sixth American to move into Mir. "The biggest risk occurs when the shuttle goes up," he said, shortly before taking off from Cape Canaveral. "I have no qualms or fear about spending time living on Mir."

Wolf's arrival, switching places with fellow astronaut Michael Foale for a four-month stint, was the latest in a tangled web of a U.S.-Russian decision to work together in space. That the formal co-operation of the old Cold War made makes considerable friction. Apart from their wariness over Mir's safety, some U.S. space officials and politicians are uneasy that the astronauts who go there to perform scientific experiments and up-patching and rendering things. "It is simply not worth putting another American into Mir to spend months being an assistant Mr. Fixit," said congressional James Sensenbrenner, who chairs the House science committee. The Wisconsin Republican suggests

that NASA and the White House "may be downplaying risks to avoid embarrassing the Russians."

Certainly, a U.S. pilot would have been a severe step in the face to Russian pride at a time when Washington wants President Boris Yeltsin's co-operation on issues ranging from nuclear proliferation to Bosnia. It would also have been a blow to Gore, a likely presidential candidate in 2000, who has been a strong supporter of U.S.-Russian space ve-

nerments of the once-mighty Soviet space effort. Russia's entire \$600 million yearly space budget would be a minor cost overrun at NASA's \$8.3-billion yearly NASA, in fact, is the chief source of funds keeping Mir afloat: the U.S. agency is paying \$600 million over a five-year period for its astronauts to gain space-station experience. But the contract will run out next year, just as Russian booster rockets and the U.S. shuttle send equipment and astronauts into space to begin work on Alpha. At 110 meters long and 436 tonnes, the new station will be roughly four times the size and weight of Mir, with room for seven astronauts instead of Mir's three. Canada's contribution is an updated, \$1.1-billion Canadarm, a more flexible version of the robotic arm grapple device now used on the shuttle. The Alpha project will also be at least as hazardous as Mir. Russian technicians who helped assemble Mir say that putting such a giant platform together in



And before takeoff in Florida: 'I have no qualms or fear about spending time living on Mir'

turns, but Moscow officials maintain that despite this year's litany of mishaps, Mir's crew were never in serious danger. They used their training to solve hazardous problems, there were no major injuries or fires, and the space station is still functioning. Moscow also has strong cards to play in the space co-operation game: as a 13-nation group, including Canada, prepares to build the \$60-billion Alpha international space station over the next five years. The Russians boast strong, reliable and cheap rockets that are capable of carrying big payloads. They have by far the most extensive data about living in space for prolonged periods, gathered over 50 years. Their community routinely serves its residents at a stretch on Mir, workers' longer.

The downside is that the Russians are broke and having trouble maintaining the

space will be difficult and dangerous—conditions that they have grown accustomed to expect in space exploration.

Astronaut Wolf believes Americans should keep coming to Mir, even if some of this NASA criticism has been hyperbole calling it a "train-wreck." "What we have here is an incredible opportunity to look into the crystal ball at how our station will be, eight, 10, 12 years into the future," he said. "Everything we see happening in the Mir system is something we still have time to design around, upgrade around or alter procedures to prevent." So Mir the spaceport that launched a thousand jobs, may have found its last station, serving as a better reminder of space exploration is better going to be free of risks.

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Plavcic: the West has backed her as 'the last hope' against Radovan Karadzic

backs of his own in elections in Serbia, his power base. For Plavcic, it was also a gesture of victory: it was the first time she had been in Belgrade since Milosevic's police detained her at the city's airport on June 20 and escorted her to the border of her republic. After that incident, her fight with Karadzic intensified—leading the Western states and NATO peacekeepers to send two accused war criminals, ousted Karadzic followers from several police stations and threatened what commentators saw as a coup attempt against her.

Plavcic first showed her muscle when she split with Karadzic last spring. The 47-year-old former bookkeeper accused him and his cronies of using taxpayer and gasoline funds to enrich themselves. She fired the interior minister, Dragan Vokac, and dissolved the Bosnian Serb parliament. Vokac refused to go, and the parliament ignored her and met anyway. Instead of backing down, Plavcic called a rally that attracted 10,000 people in Banja Luka. "She resembles a school teacher," says Chris Bennett, an analyst for the International Crisis Group in Sarajevo. "She told the people they were being robbed by the crooks in Pale."

Western leaders say despite Plavcic's strategy, they are relying on her progression. Before becoming a professor at Sarajevo University, Plavcic was a Fulbright scholar in New York City in the 1970s. Her former students at Sarajevo University say they used to call her the "Ice Queen," because she was so stern, but add she was a dedicated teacher. In the late 1980s, Plavcic was refused entry to Yugoslavia's Academy for Arts and Sciences because she was a woman and a Serbian dissident, but former colleagues say her research, though solid, was unoriginal. She quickly turned to politics. When war broke out in the spring of 1992,

Plavcic took up residence with other Serbian leaders in Pale. Soon after, she was proclaimed president, a loss on the cheek of Zeljko Razuvajic, a notorious Serbian warlord better known as "Arkan." When asked about it, Plavcic said, "I always love Serbian heroes."

Now, under the Milosevic banner, she and Karadzic will try to seal each other's fate at the ballot box, although Karadzic is barred by the Dayton accord from running directly. Western leaders hope that if Plavcic triumphs, she may be willing to send Karadzic to The Hague. The continuing tension made it all the more likely that some or all of the 8,000 U.S. forces would stay past June—a move US officials said Canada, which has 2,500 troops in Bosnia, would join. Plavcic is determined to be there, too.

SELY SULLIVAN in Sarajevo



Under Clark's banner, that he will never adopt any resolution makes a terrible place, but an excellent connection point

WORLD BOSNIA

Battle of the bigots

Bosnian Serb President Biljana Plavcic has never been known as a conciliator. During the ethnic war that left Bosnia apart, Plavcic developed a "biological" theory of ethnic partition, arguing that separating Muslims and Croats from land that the Serbs considered to be theirs was not a war crime but a "natural phenomenon." Early in the war, which erupted from 1992 to 1995, she donned battle fatigues and to command the Bosnian Serb army that a second task: "Make Plavcic." Her dedication to an ethnically pure Serbian state made her a loyal ally of Radovan Karadzic, the former president who has been indicted for genocide by the United Nations tribunal in The Hague. But in recent months, Plavcic has waged a power struggle with her once ally, and Western leaders have again thrown their weight behind her.

Why back such an unseemly character? Because Plavcic is the only alternative to Karadzic, the most Western mentors say is the biggest impediment to peace in Bosnia. Diplomats acknowledge that Plavcic, elected a year ago as president of the Serbian half of Bosnia—which also took Yugoslavia's Serbs—is an unapologetic nationalist who still wants an independent Serbian state. And they are aware she opposes extraditing Serbs charged with war crimes at The Hague. But they say that unlike Karadzic, she is not con-

front and has expressed a willingness to cooperate with some parts of the 1995 Dayton Peace Accord. "She is probably the last hope for Republika Srpska," says American backer, a spokeswoman for the civilian side of the international effort to implement the Dayton accord. "If she loses, there is nobody else."

Last week, as U.S. and Canadian officials began talking publicly of keeping troops in Bosnia beyond next June's agreed deadline, it looked as if Plavcic was winning. Yugoslav President Slobodan Milosevic invited her and Momcilo Krajcinovic, a key Karadzic ally and the Serbian member of the shared Bosnian presidency, to Belgrade to try to halt the deepening split of Bosnia's Serb territory into a Plavcic sphere in the west, run from the town of Banja Luka, and a Karadzic-controlled domain in the east, headquartered in Pale, near Sarajevo. They signed an accord to respect results of new parliamentary and presidential votes later this year. They also agreed the remaining parts of Serb Bosnia. The initiative—formerly under Karadzic's control—will broadcast on other news days from Pale and Banja Luka studios.

The Belgrade statement signaled a weakening of support for Karadzic by the Yugoslav president, who had just suffered set-

Serb rivals agree to a showdown at the polls

OF COURSE,
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World NOTES

DIANA'S LEGACY

Britain's press watchdog announced a new code of conduct in the wake of the death of Diana, Princess of Wales. Editors will face stiff fines if they publish material that violates a new definition of privacy. Pictures of people in moments of grief at her home, in church, in restaurants and even on beaches are covered by the voluntary ban. Meanwhile, Diana's family was still receiving flowers at a rate of 50 bouquets a day, and nearly \$18 million had been pledged to a memorial "superfund."

A GRISLY WAR IN ALGERIA

The Islamic Salvation Army blamed a massacre of 220 people near Algiers on a rival group and called a truce in a five-year insurgency that has killed 40,000. It said this would prove the outlawed Armed Islamic Group was behind a recent series of gruesome late-night attacks that progressed from rural villages to the suburbs of Algiers, taking 500 lives.

SAUDI BLOOD MONEY

The brother of an Australian man who was stabbed, bludgeoned and smothered to death in Saudi Arabia said he was overlooking accepting compensation—reportedly \$1 million—to become a British nurse charged in the murder from being beheaded. Under Islamic law, the victim's family can accept "blood money" in lieu of the death penalty. As an accessory to the murder, a second British nurse was sentenced to 800 lashes and eight years in jail.

ISRAEL'S TOUGH STAND

Ignoring Washington's call for a "time-out" on unilateral action, Israeli Prime Minister Benjamin Netanyahu announced plans to build 300 more Jewish homes on the West Bank. The government also said DNA tests had shown that four of its five suicide bombers who took 25 lives over the summer were West Bank members of the radical group Hamas that Palestinian police had released from custody.

RUSSIA'S NUKES

President Boris Yeltsin denied reports that Moscow has supplied nuclear technology to Iran, although U.S. Vice President Al Gore said Iran's nuclear "effort was raising a 'vigorous effort' to build nuclear weapons. Moscow agreed to halt production of weapons-grade plutonium.

Recalling Little Rock's trauma

Margaret Brown Trickey was a scared 15-year-old in 1957 when she leaved leaving white mobs and walked across the threshold of Central High in the Arkansas state capital. Trickey, now a 58-year-old social worker in Ottawa, mostly remembers the day 1,300 federal paratroopers escorted her and eight other black students into the school at the end of a three-week standoff that proved to be a turning point in the tortured history of U.S.

racial relations. Arkansas Governor Orval Faubus had defied a court order upholding desegregation of the schools, and sent the Arkansas National Guard to help Little Rock residents block the nine students from starting school. The teenagers and their families were taunted, beaten and threatened with lynching. Finally, President Dwight Eisenhower sent federal troops to get the "Little Rock Nine" through the door.

Trickey was overcome with emotion as she retraced her steps last week, walked through the same high school door by President Bill Clinton, himself a former Arkansas governor. "It was pretty strong symbolism," she said of Clinton's gesture.



Clinton comforts Trickey at Central High: 'strong symbolism'

Back in 1957, the abuse continued inside the school. "A group of five girls harassed me from the first day to the third day, but one with a purse and I turned and said, 'Leave me alone, white trash,'" she recalls. In another incident, Trickey poured chili over a tormentor's head. She was ultimately expelled for her outbursts.

Clinton, who at the time was an 15-year-old elementary school student in Hot Springs, Arkansas, said in his speech last week that the events at Little Rock "made racial equality a dream."

dominantly black, once white families have moved to the suburbs. Many courts continue efforts to bus inner-city kids to suburban schools—designed to preserve the spirit of desegregation—have been reversed by a more conservative Supreme Court in recent years that the country has long since left behind the biased institutional measures of 1957. The Little Rock Nine, said Clinton, "gave us hope because so all good people could have a chance to live their dreams."

Asia's choking haze

Environmental experts called it a global disaster. Foreigners left major cities and locals donned special masks as Southeast Asia's skies turned dark with smog. By week's end, ash and forest fires blanketed 500,000 hectares of Borneo and Sumatra, spreading a dangerous, choking haze across Malaysia, Singapore, Brunei and Indonesia—an area equal to Canada's four western provinces. Concomitantly, an Indonesian Airbus jet crashed on Friday in northern Sumatra, killing all 234 passengers and crew. Authorities could

not immediately ascertain whether the smog had played a role in the accident. In Malaysia, schools and many offices closed, especially in the haze-hit Borneo town of Kuching. Indonesia, aided by Malaysia, mobilized 30,000 firefighters. Slash-and-burn techniques for clearing land at rubber and palm oil plantations were blamed for starting the fires, which were made worse by a drought due to the Pacific's severe El Niño climatic effect. Without rainfall, fires that had made their way into Borneo's forest peat and lignite coal could be expected to burn for months.

Asia's growing Tigers

BY TOM FENNELL

The Buddhist monks in flowing saffron robes sat assembled at the ancient shrine to exercise a very modern drama. As thousands of Thais, including several cabinet members, crowded around Bangkok's Temple of the Emerald Buddha on Sept. 30, 300 clerics chanted and poured for a way out of the country's economic crisis. The two-hour ceremony broadcast live on national television was intended to dispel bad Karma and generate positive feelings. But it had little effect. Last week, financial turmoil continued to swirl around Thailand and the once-vibrant economies of Indonesia, Malaysia and the Philippines as international investors dumped their currencies and fled their stock markets. And despite the monks' fervent prayers, hundreds of thousands of people appeared destined to lose their jobs throughout the region as scores of debt-ravaged companies are pushed into bankruptcy. "It will be very painful," Thai Foreign Minister Prachin told Malaysia's during a visit to Canada last week. "The bubble has burst."

Millions of angry Southeast Asians hold one man responsible for their recent woes: Indonesian currency speculator George Soros. Over the past 25 years, the New York City-based speculator has become one of the world's richest men with a personal fortune estimated at over \$1 billion—by trading currencies that he believes are likely to rise or fall. Earlier this year, his contacts told him that Thailand's currency, the baht, was seriously overvalued. For the past two decades, the self-proclaimed "Kingdom of Growth" has been on an economic high with exports swelling and foreign investment pouring in by the billions. Lately, however, Thailand has faced increased competition in Western markets from cheaper Chinese products. As a result, exports stalled—even as the Thai government and private sector continued to spend massive amounts of borrowed money on real estate developments, huge power dams and other megaprojects.

Soros, betting that Thailand was on the verge of economic calamity and that dozens of large companies were at risk of bankruptcy, responded by selling the baht short—an investment tactic that tends to drive down prices. Soon, currency speculators around the world joined in. It worked, as its spending more than \$20 billion of its foreign exchange reserves in a vain attempt to defend the currency, the Thai government gave up on July 2 and allowed its currency to float. Since the beginning of the year, the baht has surrendered 35 per cent of its value against the U.S. dollar. "Soros attacked us twice in July," says Varasakul Parnalad, Thailand's ambassador to Canada. "We fought back because it was a matter of national pride. But we have no learned that the free market must decide the value of the baht."

The financial crisis quickly fanned across the region as traders moved fear rights on several of the other so-called Asian Tigers—Malaysia, Indonesia and the Philippines. Over the past three months, currency values have dropped and stock prices have plummeted, triggering a rash of bankruptcies among borrowers who can no longer afford to repay their foreign debts. So far this year, the Malaysian ringgit has

given up 25 per cent of its value against the U.S. dollar; the Philippine peso has fallen 27 per cent and the Indonesian rupiah has lost 35 per cent. Meanwhile, emotions throughout Southeast Asia are running high. During the annual meeting of the International Monetary Fund and the World Bank in Hong Kong last week, Malaysia Prime Minister Mahatir Mohamad lashed out at Soros and accused the "great power" of "trying to undercut the growing financial clout of the Asian Tigers." "I was saying that currency trading is unnecessary, unproductive and totally immoral," said Mahatir, a frequent critic of Western

● I am saying that currency trading is unnecessary, unproductive and totally immoral ●

—Malaysian Prime Minister Mahatir Mohamad



● He is using me as a scapegoat to cover up his own failure ●

—Currency speculator George Soros

a governments. "It should be stopped. It should be made illegal," Aday later, Soros denounced Mahatir in a speech to the same assembly of bankers, economists and politicians. He called the Malaysian leader "a menace to his own country" and said his suggestion to ban currency trading "is so inappropriate that it does not deserve serious consideration." Added the Hungarian-born Soros, in using me as a scapegoat to cover up his own failure.

Mahatir's speech did not put off with other international investors, either. On the markets, currency traders had pushed the ringgit to a 26-year low of 3.122 ringgit to the U.S. dollar. Analysts added that the pressure would continue until all four countries stop a sweeping bid of Western-style economic reforms that would

force governments to cut spending, open their markets fully to foreign investors and require full disclosure of the financial details of foreign companies, banks or corporations. Ron Richardson, an analyst at the Vancouver-based Asia-Pacific Foundation, said the changes should restore confidence in the region. "Money flowed into their countries and they have done very well out of it," said Richardson. "But once you get policies wrong, money starts flowing out, causing currency devaluation and stock markets to fall."

As well as seeking economic reforms, foreign investors are now taking a much closer look at the stability of some of the region's big corporations. Hundreds of giant companies with close links to government officials have run up huge foreign debts to finance megaprojects and to speculate in Southeast Asia's booming real estate market, which collapsed earlier this year. That money must now be paid back with devalued local currencies. In addition, investors have become increasingly uneasy about corruption and cronyism in the four countries. Huge public works contracts are handed out to friends and relatives of government officials, investments are traded back and forth among a confusing tangle of water corporations, and millions of dollars in real estate loans appear to have been backed up or buried in indecipherable annual reports.

Despite those problems, the financial crisis has unleashed deep resentment against the West. Like Thailand, Mahatir has deflected his country's currency and stock market. He imposed curbs on short selling and tried to shore up stock prices by ordering the nation's pension funds to buy up shares of domestic companies, a move that appears to have backfired by convincing more investors to flee.

Although Mahatir is only the most outspoken political leader in the region, his views are widely shared. In Jakarta, Indonesia's capital, the newspaper *Republika*, which has long been a leading cabinet minister, ran a public service announcement recently showing a currency trader with his feet concealed behind a statue of American President Ben Franklin. The text asked, "Are you a terrorist of this country?" and urged local investors to "defend the rupiah—defend the nation." Although he did not identify Soros by name, Thai Foreign Minister Prachin told Mahatir there is deep animosity towards currency speculators. "Only a few do it, but they hurt a great many people," he said.

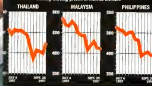
Soros plainly disagrees. A renowned philanthropist, he donates some \$500 million a year to a variety of international causes, including programs that address the border drug industry and help poor municipalities. He claims to be motivated by a belief that underdeveloped countries can be damaged by society. But he also admits that he has done investors and the people of Southeast Asia a great service by forcing governments and corporations to become more open in their financial dealings. "I want to express my sympathy for poor Malaysia who were hurt," he said last week in Hong Kong. "But not for Mahatir because he was right."

In the end, the region's governments seem destined to accept a package of financial reforms modified on a deal struck in July between Thailand and the IMF. That arrangement will see Bangkok receive \$83 billion in exchange for raising taxes, writing off some \$55 billion in foreign exchange reserves and closing scores of insolvent banks and other financial institutions. In addition, the country has pledged to adopt transparent accounting practices, making it easier for investors to understand the finances of a company. "Austerity is the name of the game," said Prachin. "Tight monetary and fiscal policies are being employed and spending has been curbed."

With the exception of Thailand, which could be pushed into a recession, forecasts for the region remain generally positive. Among the optimists is Mark Arthur, president of Royal Bank Investment Management, which runs one of Canada's largest Asian mutual funds. The \$16-million Royal Asian Fund has dropped about 20 per cent so far this year, but Arthur has his own firm to his investment strategy. "China and Southeast Asia are markets that will continue to grow. This is not a long-term scenario." The monks at Bangkok's Temple of the Emerald Buddha pray that he is right. □

STOCK MARKETS TAKE A TUMBLE

Weekly closing prices of market indexes





Little and others believe in keeping happy.

Taking on the giants

BY JENNIFER HUNTER

One week or so, a funeral procession passed by Boundary Bay Elementary School in South Delta, B.C., on its way to the local cemetery. Nine-year-old Lawrence Little sat in his Grade 4 classroom watching the procession through the window. The funeral director's wife would be driving the hearse, head crowned by a black pillow box, a black veil covering her face. Little could not keep his eyes off the motorcade. He was fascinated by the burial wrappings and the staid expressions on the faces of the mourners.

Forty years later, Little runs his own funeral operation, but his approach is less conventional than the procession he watched as a child. His company, Personal Alternative Funeral Services of Vancouver, is helping to change the funeral industry by cutting the steep cost of burying one's loved ones. A typical funeral from Personal Alternative, including an casket, embalming and professional fees, costs \$3,004, instead of the \$4,400 to \$7,000 normally charged by traditional funeral homes. The five-year-old com-

pany boasts revenues of more than \$1 million and four franchises in southern British Columbia; four more are due to open in Ontario next year and 15 are planned for the western United States during the next three years. In the process, Little has become part of a consumer revolution in the funeral busi-

A consumer revolution is shaking things up in the funeral business

ness, one that is creating problems for industry giants such as Service Corp. International (SCI) of Houston, and The Loewen Group Inc. of Bannock, B.C.

The competition in the funeral business has become so keen that last month Loewen said it was taking a \$120-million charge in its 1997 third quarter, ending Sept. 30. In addition, the company laid off 540 employees and closed its Cincinnati office. Loewen said that financial results for the year would be "significantly lower than expected," partly because of a trend in some regions of the

United States and Canada towards less costly funerals. "In certain local areas, cost cutting can be significant," says Paul Wharles, Loewen senior vice-president of finances. "But if you talk about North America-wide, it's relatively insignificant."

Not Little and other upstarts in the funeral business are bullish about the future. They think Loewen, SCI and the other big players in the \$14-billion North American funeral business are getting worried about the life span. "They are happy with our presence," Little says. "We've taken a horrendous amount of business away from them in the Lower Mainland." Add

Montgomery Ward's 400-unit Circuit Store, Inc., another upstart launched two years ago. "The big companies are threatened by us. They've driven the prices high for funerals that our cooperating people are looking for alternatives. Based in Burlington, Ont., Carap's company markets 42 styles of wood and more caskets in retail mall stores. Over the past year, he has sold seven Circuit Store franchises in Ontario.

Little acknowledges he is a business to make money, but says he can "put his head down on a pillow each night and sleep easily" because that is not grouping his customers. Death, compassionately with the bereaved is something he has understood since he applied to his first job as an apprentice at a funeral home in Richmond, B.C., after learning his townshuman, he worked his way to the position of funeral director. He even lived at the funeral home. "When my daughter, Tracie, was born she came from the hospital to the funeral home," Little says. His wife, Dorothy, coiffed the hair of the deceased. Little now has role a caregiver in the community. "I am proud of what I do."

In 1988, Little was working as regional manager for a small local chain of funeral homes when the company was taken over by SCI. But Little says he couldn't live with SCI's practice of discouraging employees to sell, sell, sell—more flowers, expensive caskets, special cremation urns. After 3 years in the industry, he decided to one-up with SCI, Loewen and the other big funeral companies.

The pressure those giants feel from discontents is exemplified by something

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BUSINESS

that happened last month to Jim St. George, president of Consumer-Casket U.S.A. Inc. "I had a telephone call from a gentleman who said he had some old old money and wanted to invest it in the funeral business," says St. George, whose Erie, Pa.-based company is planning to open a franchise in Toronto, similar to one of Corey's outlets. He said he'd read about us in *Money* magazine. "St. George sent me some information about his company and looked at appointment with him. It turned out, however, that the 'investor' was an SCI employee, the assistant director of acquisitions. They acquired a legal document from me under false pretenses," St. George says. "I thought they had more class than that."

The cost of funerals is certainly not a new issue. British-born journalist Jessica Mitford tackled the subject in her 1963 best-seller, *The American Way of Death*. She encouraged cremation because it was less expensive than a traditional funeral. Her book led to several reforms, including a requirement that funeral homes itemize their prices. But in an updated edition of the book scheduled to be published next year, Mitford, who died in 1995, wrote that the funeral industry's treatment of consumers has become worse because of the arrival of SCI. Low-cost and other profit-hungry operational choices.

"The funeral chains are driving prices through the roof and using despicable tactics," says Lisa Carlson, whose husband, Joseph Mitford's book and is the executive director of Funeral and Memorial Societies of America. Some of these tactics are described by Don Bellamy, who was recently laid off from his job at an SCI-owned First Memorial home in Abbotsford, B.C. "We used to offer a free urn for cremations," he said. "But then SCI brought in this cheap counterfeit urn to hold the ashes and charged \$30 for it. They were hoping the family would look at that ugly cardboard container and want to spend more on an expensive urn."

Funerals have become expensive because the big chains tend to monopolize profits and keep shareholders happy. Expansion drives have also increased third-party debt loads and put pressure on them to boost net



SCI Ray Lowrey: his firm owns more than 1,000 funeral homes

income. In its belated move to date, SCI last year launched an acquisition spree that it acquired Lowrey. Lowrey itself spent \$1.6 billion in 1998 on acquisitions, bringing the chain's total to more than 1,000 funeral homes and 480 crematories. "Corporations are now competing on both the high end and the low end," says Carlson. "They are trying to steal business from any competitor. And now in the United States, they are even buying up crematories."

But the rescue of profit is becoming harder each month. Rev. Henry Waisel-

son of Teter, Ariz., a suburb of Phoenix, is a Catholic priest who operates an Internet site called *Funerals and Repalls* (www.woods.com/~Funeral) that offers free advice about funeral costs. He points out, for example, that when the big chains acquire a funeral home "they usually keep the former manager and the new owner's last name," giving consumers the impression that it is still locally owned.

Another activist in the war for less expensive funerals is Father Ed Arsenault, who organized a funeral services co-operative 12 years ago in his parish of Palmer Road, P.E.I. (population 800). "The prices of funerals had gotten out of hand," says Arsenault. "It wasn't even Christmas, any more with all the judgments they were offering." The big funeral companies tried to shut him down. "They undermined a lot of things," Arsenault said. "They tried to stop us from being collected by threatening the coffin makers." But none of the threats worked. Now there are seven such co-ops on the island, and the trend has spread to New Brunswick and Nova Scotia.

"This has made a real big difference," says Arsenault. "Just with the parish of Palmer Road, we figured we saved \$150,000 in our first year alone."

In Vancouver, Little of Personal Alternatives says business keeps getting better. Last year, he dealt with 720 families, visiting them in their homes to talk about the service and prices, a task Nellie Dyck of Abbotsford, B.C., suggested last April when planning her mother's funeral. "The first 36 hours after someone dies are the hardest," she said. "The last thing you want to do is go to a funeral parlor to make arrangements." Little adds that he can offer less expensive services because he operates on a modest budget and uses local churches rather than building his own chapel. "We don't have a fleet of price-conscious people," he says. "We don't have price-conscious real estate or shareholders to answer to."

The priors, Ray Young, says Little enjoys, ripping at the heels of the big corporations. Neither man has any intention of selling as. "We're going to these guys," says Young, whose family has been in the funeral business for four generations. "We're a good price. And Lawrence is enjoying every moment!" □

UNDERCUTTING THE COMPETITION

A comparison of prices charged by Personal Alternatives, a discount funeral home in Vancouver, and a nearby chain-owned funeral operator.

	Personal Alternatives	Chain-owned funeral home
Full traditional service including disposition, decomposition, visitation, transfer of body, use of funeral	\$1,475	\$2,300
Memorial service without casket and body	\$840	\$1,600
Direct disposition of body held cremation without service	\$320	\$1,218
Direct disposition	\$1,600	\$2,000
Direct cremation	\$400	\$900

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on the gum
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Ross Laver



Personal Business

Drugs and dirty tricks

Bold as a better measuring, the saying goes, and the world will beat a path to your door. But while you're at it, watch out for all those other measuring manufacturers. Some of them may come calling, too, and they won't be very happy.

That pretty well sums up what happened to Norman Paul. In 1981, he had the bright idea to set up Canada's first mail-order pharmacy business, filling prescriptions by telephone and delivering them to customers by courier. With limited overhead and prices generally lower than the competition, he couldn't lose. Or so he thought.

It soon became obvious that Paul had underestimated the resistance he would face from Canada's big drug retail chains and traditional pharmacists. Alas, after eight years of constant, strenuous by competitors to cut off his financing and repeated efforts to in tandem his customers and suppliers—yes, name it and he's got it—Paul's business is now a thing of the past.

The bully tactics started soon after Paul 53, launched Toronto-based MediTrust Pharmacy Inc. in 1981. A former pharmacy manager and executive with Shoppers Drug Mart and Zellers, he spent months trying to land his first big account. Success finally came in the form of the Toronto Dominion Bank, which agreed to co-sponsor MediTrust to its 30,000 employees. The bank even prepared a video telling workers to "shop smart at MediTrust."

That, says Paul, is when "the Asperos really hit the fan." Out of the blue, he got a call from a TD Bank executive informing him that the bank was cancelling its agreement with MediTrust. The TD Bank then sent a memo to each of its employees explaining that it had received complaints from retail pharmacists, "many of whom are established in your community and do business with us."

Paul didn't give up, but as his company grew so did the opposition. Before long, several big drug wholesalers refused to supply MediTrust—a decision they later admitted was due to pressure from drug retailers. Al-

With low
overhead and
attractive prices,
Norman Paul
couldn't lose.
Or so he thought.

ter Sears Canada began including MediTrust assets with its recent statements the department store chain received a letter from the Canadian Pharmaceutical Association accusing it of "using a disclaimer" to "dear customers and increasing the retailer's exposure to legal liability. Where word got around that MediTrust was thinking of using Parachlor to handle some of the shipments, retail pharmacists threatened to boycott the courier company. In the end, MediTrust chose Canada Post's Norapost service. One of the country's largest generic drug retailers, wrote an open letter to all pharmacists declaring that it would not knowingly sell medicine to mail-order pharmacies.

And that was not enough. MediTrust faced repeated harassment by several of the industry's self-governing bodies, whose membership rolls are dominated by retail pharmacists. But the coup de grace came when Paul tried to take his company public in the fall of 1989. A syndicate group calling itself the Society for Concerned Pharmacies sent letters to journalists questioning the accuracy of the offering document. MediTrust had distributed to prospective investors. Included, Paul filed a private detective, who traced the "society" to a mailbox owned by an employee at a major drug retail chain. By then, several regulators had cleared the prospectus, but it was too late: the controversy forced MediTrust to cancel the \$25-million share offering and seek private financing.

Undaunted, the company continues to expand. This year, MediTrust expects to fill 700,000 prescriptions, accounting for roughly one per cent of the Canadian market. (In the United States, mail-order pharmacies have an eight-per-cent market share.) Paul meanwhile, has written a book about his trials, *Good Medicine: Breaking Canada's Drug Monopoly to Save Consumers Millions*. "I didn't expect that setting up this business would be such a battle," he said last week. "But now that it's done, I'm not going to give up unless they take a gun and shoot me." He's joking, of course.

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Freedom of choice

Alternative therapies win approval in Ontario

For at least a decade, doctors in Ontario have complained of harassment from their governing agency if they tried to offer their patients alternative therapies. The College of Physicians and Surgeons of Ontario has issued numerous warning letters to doctors, issued some treatments and stripped the license to practice from four physicians. But last week, instead of further harassment, doctors interested in alternative techniques received a peace offering. After 35 months of study by a special committee, the college said it will allow physicians to offer complementary therapy as long as they follow some basic rules. "Physicians should be allowed a reasonable and responsible degree of latitude in the kinds of therapies they offer to patients," the committee concluded. "We also believe that patients have every right to seek whatever kind of therapy they want."

According to alternative therapy advocates, Saskatchewan is the only other province with a policy as liberal. As the Ontario college made its move, alternative therapists are also receiving a political hearing in the province, home to 31,000 of Canada's 36,000 licensed physicians. A private member's bill that would protect physician non-prosecution for offering alternative treatments has received approval in principle in the legislature and is about to be examined by a committee. Dr. David Walker, a Niagara emergency room physician who helped develop the new policy, and its responding to demands from doctors. "Physicians leave their patients are using St. John's Wort [a natural remedy reputed to alleviate depression] and taking evening primrose oil [for menopausal symptoms and arthritis]," said Walker. "It was a matter of recognizing reality."

That reality exists across the country, according to an Angus Reid Group national poll released on Sept. 1. It found that 49 per cent of adults use treatments such as chiropractic, herbology, acupuncture and homeopathy—nearly twice as many as five years ago. The poll results suggest that, as medicine gets more complicated, Canadians want to take charge of their own health. "An overwhelming majority agree that doctors

can give advice but people have the responsibility to look after their own health," says Angus Reid senior vice-president John Wright. "People are becoming consumers rather than patients."

According to a recent University of Toronto study, education, income and social status are key factors when it comes to choosing modes of therapy. The study, which compared patients of family physicians with

go instructor who underwent surgery to breast cancer three years ago. Myers, 50, says she never questioned her surgeon's advice to have a mastectomy. "But when they are done treating your body," she says, "there is an awful lot left over that conventional medicine does not address." After surgery, Myers turned to naturopathic and herbal remedies to rid her body of toxins and improve liver function, massage therapy to help restore flexibility, and a traditional Chinese medicine practitioner who prescribed a program of meditation while seeking to increase her energy. "I have these things night and day," says Myers. "But I also know I am thinking in a way I would not be if I had not done them."

The new policy allows Ontario's doctors to provide complementary therapy to their patients or to work closely with non-conventional practitioners. But Dr. Kenneth McLeod, leader of the 200-member Ontario



Myers: after surgery, there is an awful lot left over that conventional medicine does not address.

those of alternative practitioners, found that alternative care users are more likely to have higher home-held incomes and education, to be female and to consider spirituality an important factor in their lives. "People who are of a higher social class are used to having some control over their lives," says medical sociologist Merrylynn Keller, who conducted the study. "Choosing where you go for various health problems is one more example of control."

But the study also found that few of those exploring the alternatives have turned their backs on conventional medicine. Some 91 per cent of the non-conventional therapy users visit a family doctor as well—consulting the physician for acute illnesses and the other therapists for chronic conditions or to supplement standard treatment. Typical of that approach is Dr. Myers, a Toronto po-

Society of Physicians for Complementary Medicine, says it will take at least five more years for doctors to develop the expertise to offer the treatments safely and effectively. Other questions whether the college is sincere or its motives. Dr. Josef Krop, an alternative practitioner from Massachusetts who is accused of professional misconduct by the college, dismisses the policy as a "public relations exercise." Practitioners cannot advantage the college's requirement to reach a conventional diagnosis before applying alternative methods, he says, "because most diseases do not have a conventional diagnosis." With alternative medicine advocates pushing to push for the private member's bill to pass the fight for easy access to new therapies is far from over.

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Arden: I couldn't make up that pathetic life

People

Edited by
BARBARA WICKENS

Her melancholy muse

She is known for songs of exquisite sadness. So it is no surprise that Calgary's **Jana Arden** should put a question mark in the title of her new album, *Mope?* The celebrated singer-songwriter also has a reputation for a casual, wit and self-deprecating humor, which does not always go down well in the angst-conscious music industry. So on the cover of her third CD, which was released last week, a playful Arden poses sucking her thumb—to the chagrin of both her record company and her mother, **Jean Richards**, a retired dental assistant, who declared it a "terrible picture." But the six-time Juno winner, whose last album, *Still a Living Order*, has sold 1.3 million copies worldwide, insisted on using the image. And she returns to change the face of her music: "I thoroughly detest melancholy," says Arden. "Happy is just far easier to access. It's not something you pull out every day." Besides, adds the 35-year-old, there is her audience: "I think my fans would be disappointed if I came out with 10 happy songs," she says. "They like my music because they can listen to it and think, 'Hey, my life's not so bad—look at hers.'"

In fact, Arden's life has improved considerably

from the days when she was singing in lounges throughout Western Canada, struggling to pay her rent and battling a drinking problem. But with the help of her managers, **Neil MacGinnell**, she quit the booze and went on to record her critically acclaimed first album, *Time for Driving*. Before starting work on her latest CD, Arden bought a new house in Calgary and threw an endless series of dinner parties for longtime friends. "I almost felt I'd retired," she says. But then her muse decided it was time to make a new album, and Arden had to write new songs, something that initially stressed her. "I didn't feel that I was writing anything of value," she says. "I was second-guessing myself." Has it been too long? Is this too academic? Am I starting to sound like the *Island Girls*? "I was in a terrible state," Arden broke through what she calls a "freezing" bout of writer's block by returning to her tried-and-true approach of writing simple, heartfelt songs about love, loss and sadness. "I realized I don't know how to write. I honestly don't write at all," she says. Does that make all of her songs autobiographical? "They must be," she answers with a ready smile. "I couldn't make up that pathetic life."



The Falcones: \$21.8 million

'Not a Ferrari girl'

For **Dana Falcone**, the loss of anonymity came as quickly as the millions. Last week, the 22-year-old interior design student picked up her \$21.8-million prize in the Lotto Super 7 on Sept. 19. That made her the richest Canadian lottery winner ever—and an instant celebrity. "I just want the attention to go away," Falcone told the dozens of reporters, photographers and TV cameramen at the Toronto news conference when she picked up the

cheque. Falcone, who is single and lives at home in Richmond Hill, Ont., had contacted her agent, lucky number—27—with those her mother, Beverly, used for years without success before she died in 1994. She plans to share her winnings with her three sisters, and with her father, **Peter Falcone**, a Canadian Auto Workers treasurer who says the family will use the money for a trip to Italy, and for a new home where "people won't bother Dana." So far, she seems to have her feet on the ground—her first purchase was a \$37,000, 1996 Dodge Ram pickup truck. Says Falcone: "I'm not a Ferrari girl."

A sordid play-by-play

During his 30-year career in sports broadcasting, **Mary Albert** became a celebrity in his own right. But after startling testimony last week in an Arlington, Va. courtroom, the NBC play-by-play announcer from New York City was suddenly in trouble for his real life. Accused by his longtime lover of rape and forcing her to perform oral sex, the divorced father of four was described by a witness as having a taste for threesomes, sexual violence and watching women's lingerie. The most damaging testimony came from another woman, who also claims that Albert had attacked her but that she escaped after turning off her tapes. He abruptly stopped the trial, agreeing to plead guilty to misdemeanor assault in return for having the prosecution drop the more serious charge of forcible sodomy. NBC fired him immediately afterwards. "I just felt like I had to end this ordeal for myself, my family, my friends and supporters," says Albert, 54, who will be sentenced on Oct. 24.

Albert: guilty of assault



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Theatre

Southern exposure

An Antarctic ordeal becomes a spellbinding play

In *Impossibility Island*, David Young's hypnotic new play about Antarctic exploration, six men huddle for warmth in their filthy, tattered sleeping bags. They quarrel, sing hymns, write in their journals, count their diminishing supply of biscuits and, as the months wear on, sink gradually into a collective psychosis. The whole time, a fierce wind screams and moans like some desecrated Volynic, outside the ice cave that shelters them.

Impossibility Island—which runs at Toronto's Canadian Stage Company until Oct. 18—is one of the most audacious, original and perplexing dramas ever written by a Canadian. It's based on the true-life story of Lieutenant Victor Campbell and his Royal Navy party, who were involved with Captain Robert Scott's ill-fated 1912 expedition to the South Pole. While Scott and his men were struggling back from the Pole, Campbell and his group were enduring their own hell on the coast, where they were doing scientific work. When a Royal Navy ship failed to pick them up, they hunkered into the ice, and, in a moment of lost endurance, survived the long, soulless, icy Antarctic winter. Toronto-based Young, 51, first heard about the little-known episode from a mountaineering companion during a 1994 trip to the Yukon. What particularly intrigued him was how Campbell and his men reproduced the British class system inside their shelter. "Campbell recreated there was an invisible wall down the middle of the ice cave," says Young. "That way the officers could be concerning in their ward room, while the men were groaning in the mess deck. And they could all pretend not to hear each other."

Young—a novelist, screenwriter and author of a trench-entitled 1992 play *Glenn*, about Jewish Glenn Gould—went on to read the expedition's unpublished journals and notebooks in the Cambridge University archives. He recalls being tremendously moved by these "most intimate, personal written pieces. They were like religious relics to me." But at the same time, he realized that the story he was looking for was not there. The British explorers had kept a stiff upper lip, and little drama or conflict had made it into their reports. "That left me bereft," says Young, "to invent what I needed."

And invent he has. *Winterer* questions Campbell (R. H. Thomson) actually post-ward, in *Impossibility Island* he becomes



Scene from *Impossibility Island* audience

an almost absurd embodiment of British imperial rule. He disciplines his men by such straightforward plays in sending them into the freezing cold to practice their semaphore skills. Not surprisingly, the ordinary seaman rebel. Led by the rascalous Abbott (Wayne Best), they steal Campbell's character and read his private diary. At one point or another, the whole crew becomes unruly, and by the final act they are delivering testimonies about the history of the 19th century and the future of the human race. By then the original realism of the play has been superseded by something much more poetic and metaphorical.

If that sounds like too much, it sometimes is. But despite the script's lapses into pompousness and obscurity, *Impossibility Island* raises crucial questions about the importance of social structure (how much is enough?) and mankind's place in the natural world. To paraphrase the play, the Antarctic winter has raised these men, though it remains uncertain whether their painful afflictions will result in good or ill.

Meanwhile, the actors are nothing less than superb. And director Richard Rose has shaped the whole production into a tableau and images—rowed figures bent against the winds, sea-stained faces filled in suggest that will haunt the memory.

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ENT-53

A refugee's odyssey

Too often, political refugees are a faceless lot. They are glimpsed on TV newscasts, waiting in crowded internment camps or run-down "holding" hotels, waiting away the months and years until a

foreign country offers to take them in. Cut off by barriers of language and culture, they seem to belong nowhere, and it is difficult, even in a relatively generous society such as Canada's, to see them as sympathetic and

worthy individuals. That is why *Tightrope Passage* (McClelland & Stewart, 242 pages, \$26.95) is such a valuable book. Written by Czech refugee Iva Moravce, it explores the plight of dispossessed people with an empathy and vividness that turns statistics into singular human beings.

In Communist Czechoslovakia, Moravce learned of the venal ways of the regime firsthand. His politician father had been a leader of the Prague Spring of 1968; the liberalizing movement that threatened to upset two decades of Communist rule—until it was crushed by Russian tanks. Then, on punishing the entire family, Czech authorities blocked Moravce's career as an economist, ordering to retreat only if he disavowed his father for his reputed "betrayal." Moravce refused, and switched to a career writing song lyrics and tales for children. But the Czech government prevented his work from being broadcast. In 1963, the 35-year-old Moravce, his lab technician wife, Jana, and their five-year-old son, Jiri, set out for an Austrian holiday with no intention of coming back.

Like all refugees, they had abandoned much that was dear: home, parents, a traditional culture. They carried only their suitcases and 700 Austrian dollars. Their jubilation at crossing the border was quickly succeeded by anxiety. Had they done the right thing? Should they go back before it was too late? Through the emotional roller-coaster ride of the next several months—spent, first, in an Austrian camp and, later, in a hotel full of refugees in Vienna—they were sustained by the idea of Canada. They had chosen the country after an elderly Czech who had visited his son there told them stories of a free, humane society.

One of the great strengths of *Tightrope Passage* is its affectionate portraits of disparate refugees and the camaraderie among them. Two other men in the Vienna hotel, as happens and a Kurd, had friends on opposite sides in the Kurdish struggle for independence. Seduced by the bloodbath, they had each fled to Austria, where they became law-abiding, and were often glimpsed stroking arms in arms, celebrating the fact that they hadn't killed each other.

Over time, the Moravces learned to shed the passive, inertial mind not encouraged by communism. As the author points out, living by their wits as refugees in Vienna was excellent training for survival in the West. In 1963, the Moravces did make it to Canada, where the author found work in London, Ont., on the Ford assembly line. Inspired by his success in a local short-story contest, he went on to write *Tightrope Passage*. As a result he has much to learn: his English is still clumsy, and his perceptually excited love about the capitalist way of life can be tiring. But his reporter's eye is always convincing, and the story itself is good.

JOHN DEMMEGE

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Books

Beautiful dreamers

Canadian cultural icons figure in an increasing number of biographies

BY ROBERT FULFORD

Biography can be shameless, biography can be disturbing and sinister even, biography can be no more than gossip disguised as scholarship. There are people who think biographies are essentially trivial, and that those who read them are probably self-indulgent voyagers. And yet, and yet, the telling of lives is among the world's most compelling forms of writing. It's become so popular and absorbed so much cultural energy that American and British critics have often called this era the Age of Biography.

Canada, however, has been comparatively late to create a tradition of biography in the arts. It is true that the wonderfully welcoming *Encyclopedia of Canadian Biography* (12 volumes, and more to come) includes poets, painters and the rest, but among full-scale artistic biographies there's been nothing, until lately, to compare with two-volume critical classics like G.D. Sturges's *Life and Letters of Sir Wilfrid Laurier* in the 1950s and Donald Creighton's *John A. Macdonald in the 1850s*. Memorable biographies of artists and intellectuals are relatively rare—Mavis Cheung's study of Emily Carr, the Hugh MacLennan and Irving Layton books by Dorothy Chace, Philip Marchand's *Life of Marshall McLuhan*, Rosemary Sullivan's much-mentioned lives of Elizabeth Smart and Geraldyn MacEwan, zapper works by Judith Schlosse Giesel on Robertson Davies and David Sikors on David Milne. This short list, unfortunately, covers most of the high acts of two decades.

But this publishing season brings a sharp increase in books chronicling the lives and times of artists and thinkers. The book series are lining up with James Keith's *The Life of Margaret Lawrence*, W. Terrance Jordan's *Marshall McLuhan: Escape Into Understanding* and Eileen Whitfield's *Private The Woman Who Made Hollywood*



Fairbanks, Peckham: today's movies and TV shows are rooted in street scenes like these

Other new books likely to be a growing interest in artists have Fairbanks, *Selected Letters of Margaret Lawrence* and *Adèle Wiseman*, edited by John Lawrence and Ruth Paus; *James* further depth to King's portrait of Lawrence and *Good Deeds*, a collection of feminist biographical essays, edited by Elizabeth Cameron and Joyce Dickson, includes suggestions such as Cameron's latest, *anyway* life of Gertrude Graham, a now-forgotten Canadian novelist once famous for an international best-seller, *Earth and High Heaven* (1944).

Many more biographies of artists are on the way. *Born-House Kings*, Barry Calhoun's memoir of his novelist father, Mayley, is to appear later this autumn. Early next year will see the publication of *The Gentle Anarchist: A Life of George Woodcock*, by Douglas Fetherling, whom Woodcock chose to write his life story shortly before he died in 1985. W.G. Mitchell's son, Iain S. Mitchell, an English professor at Peterborough, Ont.'s Trent University, is working with his wife, Barbara, on the first Mitchell biography. Toronto-based writer and

BOOKS

academic Rosemary Sullivan is working on a book about Margaret Atwood and her circle. Nova Scotia-born writer Gregory Cook expects to finish *One Heart, One Way*, his tale of the New Brunswick poet Niles Nowlan, this winter. James King will follow his Laurence book with a life of her publisher and close friend, Jack McEldown.

What has created this boom? For one thing, the founding generation of modern Canadian literary culture is dying off—people born in roughly the first quarter of this century. From Callaghan (1903) through McEldown (1911) and Woodcock (1918) to Lawrence (1920). There have left questions that biographers can attempt to answer. Death releases letters and diaries that were not available during the subject's life—sordid rakish relatives and friends more likely to divulge information. Another reason is that the material of the English-Canadian literary community, with its abundant apparatus of scholarship, university courses and publicity, has made writers and readers eager to understand our culture through the people who created it. These are the lives that enlarge the lives of everyone—and we can appreciate them only if we understand them.

And, of course, those who write and read these books are paying tribute to themselves and their society as well as the subjects. James Russell is the dedication to his *Life of James*, aware of "pleasure in celebrating the distinguished merit of a contemporary united with a certain degree of socially not altogether unreasonable, in appearing fully sensible of it"—a point that is as valid now as it was in the 18th century.

Inevitably a biography informs us that no matter how well we know the artist, we never understood the artist. This is spectacularly true in the sympathetic, thoughtful, long biography of Laurence by King, a professor at McMaster University in Hamilton who has also written an *William Blake and Virginia Woolf*. No one ever imagined Laurence's life was easy, but we do. *The Life of Margaret Laurence* (Knopf Canada), with a fine sense of the burlesque and a new admiration for the way she carefully channelled her anger and sadness into her art.

Aloof from the start, things went badly for young Peggy. Both parents died when she was a child, and she spent her first two years in the care of a typical grandmother. The need and the act to make study grow meaning to her life, but not severity. Her marriage to an engineer, Jack Lau-



Laurence in *rethink new study focuses on his religious life as a Roman Catholic convert*

rence, producer of two children but collapsed because she insisted that writing came first with her. After the divorce, she lived a lonely and sexually deprived existence, summed up at its worst by the story of her belated affair with the Barbadian novelist George Lamming. This encounter warmed her heart and encouraged dreams she had put aside, but it was neither—and Laurence, when King reached her three decades later, could not quite remember going to bed with Laurence.

In the end, even writing failed her. During the work that *The Diviners* appeared in 1970, she remarked in a CBC radio interview that she would probably write no more novels because she had no more to

say. At that moment she was only 48, and a light behind him, applauding. He quoted several possible that she was merely exasperated by the *Diviners*, that her anxiety about "Moby" could with him otherwise prophetic proved true. She tried to write his in his and then says it applied to actual fiction, but never finished anything. In his life, she lived, as he said, in a kind of constant state of being almost dead. He said of her that she was a fragment of a fragment. For one reason a little different, but Gordon, perhaps not to another, she soon collapsed into the other member. Inconsistencies of thought, insular life of a chronic alcoholic. King's disavowal of language, opportunistic copy of her deacon to commit suicide. A warning to businessmen more of these people 60, rather than endure slow death by the biographer's criticism. He buys King cancer, made news this summer, but it was never McEldown's writing, as he was by no means the most antipathy of the subject's private secretary. His assistance to Gordon's work, as he was by no means the most antipathy of the subject's private secretary. His assistance to Gordon's work, as he was by no means the most antipathy of the subject's private secretary.

like Angel and *The Diviners* will only be one more process as we understand what cost their author to make them.

The understated yet moving first by Rosemary Gordon's *Margaret Laurence: A Quiet Life* (University of Toronto Press) is also solid, but less striking. Gordon, a professor at Dalhousie University in Halifax, was the first scholar given access to McEldown's diaries and private letters, and has produced a sensitive biography that focuses special attention on McEldown's religious life as a Roman Catholic convert (making English socialist and novelist G. K. Chesterton sought him to the Bible). During his life, McEldown only occasionally spoke publicly about religion, perhaps because he thought it would alienate the unknown among his followers—Gordon notes that his

Death frees up letters and diaries—and makes friends and family more candid

was "difficult to dissent in McEldown's sublimity." But it was crucial to everything he did, as Gordon shows. Gordon also looks closely and trenchantly, the innocent, earnest young McEldown, but McEldown was better her began, his transformation into one of the century's most famous intellectuals. The son of an early, capacious mother and an unsuccessful father, McEldown was restless for success, even before he had rules to what form his work might take. Gordon delves deeply into the diaries and letters, early hints of the themes that would eventually dominate his work.

Unfortunately, Gordon's book illustrates the major pitfall writing a biography who writes too close. He takes perspective. Where Gordon was an admirer of McEldown's, Gordon is a fan—or an acolyte. Whatever McEldown says or does, Gordon stands behind him, applauding. He quotes several possible that she was merely exasperated by the *Diviners*, that her anxiety about "Moby" could with him otherwise prophetic proved true. She tried to write his in his and then says it applied to actual fiction, but never finished anything. In his life, she lived, as he said, in a kind of constant state of being almost dead. He said of her that she was a fragment of a fragment. For one reason a little different, but Gordon, perhaps not to another, she soon collapsed into the other member. Inconsistencies of thought, insular life of a chronic alcoholic. King's disavowal of language, opportunistic copy of her deacon to commit suicide. A warning to businessmen more of these people 60, rather than endure slow death by the biographer's criticism. He buys King cancer, made news this summer, but it was never McEldown's writing, as he was by no means the most antipathy of the subject's private secretary. His assistance to Gordon's work, as he was by no means the most antipathy of the subject's private secretary.

don, like McEldown, declares to acknowledge that Miller might have made even one or two minor points. He appears even to endorse McEldown's view that the people who embraced his work were those (1) threatened, a bawdy approach to intellectual discourse. He no admires McEldown that he sometimes criticizes his prose style, with unfortunate results—"McEldown by the end of his life had long since become an academic figure, in a word, and knew little of his present that the loose images flower and grow."

Eileen Whitfield, a Toronto journalist and playwright, justly admires her subject, Mary Pickford, as much as Gordon admires McEldown. But in *Pickford: The Woman Who Made Hollywood* (Owlswick-Weller & Ross), she manages to take an even closer view of her subject's virtues and faults.

Born Gladys Smith in Toronto in 1892, Pickford became the world's first movie star and "America's Sweetheart," but began shipping out of public consciousness in the early 1930s, before most potential readers of this book were born (though she lived to 1979). She has already been the subject of a considerable literature, including her own memoirs. But Whitfield shows us that there is much more to be said, particularly about the art of silent acting, of which she brings a consciousness (and about Pickford's part in creating the business of Hollywood alongside her partners in United Artists, Charlie Chaplin, D. W. Griffith and one other husband, Douglas Fairbanks. Whitfield makes clear that Pickford's character, in her young days at least, was an astonishing mix of naivety, shrewdness and wit.

What accounts this book is Whitfield's love and admiration for her subject. She never ignores Pickford's failings—her half century as an alcoholic makes Margaret Laurence's problem look like a weekend hangover. But personal shortcomings don't make Whitfield's book less than a masterpiece. As never does Pickford her day, as either artist or entrepreneur. Whitfield made her wonderfully readable story by reminding us that the movies and TV shows of today are rooted in the innovations and accomplishments of the silent screen. "And there, as though in a secret garden, lies the secret of Mary Pickford's success—a woman of unshakable power and purpose, whose genius will flood the screen, fierce and sweet." Pickford does precisely what the biographer's art should do—it forces us to care about the subject while carefully explaining why we should. In the midst of a bumper year for books about more recent Hollywood figures, as we recall a moment when Mary Pickford and the stars were among the great situations of a different century. □

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Garden of paradise

BY BRIAN BERGMAN

Hollywood film director Thom Fitzgerald can be forgiven for feeling as if he has suddenly become a character in someone else's movie. On Sept. 14, Fitzgerald's first feature film, *The Hanging Garden*, which was shot in Halifax on a modest \$1.5-million budget, captured two of the top trophies at the Toronto International Film Festival, including the Air Canada People's Choice Award. In previous years that prize, chosen by festival viewers, had gone to such films as *Silence of the Lambs*, which went on to garner several Oscar nominations. For 29-year-old Fitzgerald, it was the culmination of 10 frenetic days of being chauffeured to meetings with agents of the failed Hollywood studios, and then rubbing shoulders with them at parties and premieres. After returning to Halifax, where *The Hanging Garden* opened the Sept. 10 to 27 Atlantic Film Festival, Fitzgerald was still trying to put his startling success in perspective. "Part of the blessing is all this," he told *Maclean's* between sips of coffee at one of his favorite local haunts, "is that I didn't know what the hell is going on."

What seems to be going on, judging by the critical acclaim and commercial success that greeted *The Hanging Garden's* initial screenings, is the emergence of a major new talent in Canadian cinema. The film, which Fitzgerald also wrote, is an often humorous and carefully calculated account of an extremely young-guy marriage; Williams, who appears to current accounts, only to return 10 years later to the bosom of his dysfunctional Nova Scot-

ia family. It includes a hard-drinking father who verbally and physically abuses the teenager, and a mother whose first response to her son's homosexuality was to fix him up with a rough-hewn woman who turned tricks on the side. The filmmaker is deliberately ambiguous about whether the older, slimmer Williams, played by Toronto-based actor Chris Leaven, in fact survived the abusive stepson—or if his resurgence as just some collector family hallucination.

None of which would seem to be standard Hollywood fare. Yet, in addition to the accolades—*The Hanging Garden* also shared the \$55,000 Toronto-ITV-TV Award for best Canadian feature with Aaron Egoyan's *The Sweet Hereafter*—the film has reeled in a juicy \$700,000 contract with MGM for distribution rights in the United States. That deal was struck during the Toronto film festival after what Fitzgerald describes as "one of those bidding war dreams that you hear about and envy as a filmmaker." The Hollywood dealmakers, he recalls, "wanted to take me to breakfast and lunch, and so I went. Some of them were really transparent, brutal snakes, promoting themselves by putting down the competitors. But most were not. They all wanted something, so they were very nice to me."

And all that attention and flattery, she approves that Fitzgerald was startled most to find came from his mother. But, Dailgo, who down from her New Jersey home to

Fitzgerald: his \$1.5-million tale of a gay love is a hit

attend the Toronto premiere of *The Hanging Garden*. It was her credit card, after all, that Fitzgerald lived on for six months while writing the screenplay. Dailgo later told her son that she had looked in father, whom she divorced when Fitzgerald was a young boy. "She hadn't said one word to my dad in 20 years," marvels Fitzgerald. "She told him that their son had made very beautiful films, and that he should be very proud."

Memories of his sometimes troubled family life make a obvious point just how autobiographical is *The Hanging Garden's* family clearing in three, Fitzgerald responds. "I'm going to be a teenager considered words." As early as his high school years, he adds, his classmates or teachers knew he was gay. While he remained popular—he was a class president and a cheer leader—his self-esteem took a beating. "I wasn't that other people didn't like me," he says. "It was that I didn't." In part, he made *The Hanging Garden* as a way of telling other young guys that life is worth living. "You know, a friend pulled me aside the other day to tell me about a 15-year-old boy who had just hanged himself. After a while, he asked if he were gay," says Fitzgerald. "Probably watching this movie wouldn't have made a difference that you never knew."

The buzz surrounding *The Hanging Garden*, which is set to open in theatres across

Canada on Nov. 7 promises to see Fitzgerald's career—and his—into a whole new trajectory. For now, Fitzgerald, 29, is in New York state, Fitzgerald had moved to this

city in 1987 to attend the Nova Scotia College of Art and Design. He later scraped together a livelihood making short videos and working as a local store collector. These days, Fitzgerald, an Canadian citizen, is being inundated with offers to direct movies, typically, Hollywood has tycoon the young filmmaker, sending him projects (including *Shogun*).

For the time being, Fitzgerald is content to finish shooting a long-planned, low-budget documentary, *Bevels*, about the gay men who published and purchased the popular *new* magazine, *new* magazine of the 1960s. He is also taking his own time to do a play. "I'm just figuring it out," he says "and trying to stay out of my own way." Will the *new* film world be making a level here is probably just the ticket. □

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See Presto change from geek to Roboman

Journalists are really strange anthropologists, flipping out the hidden that is a politician's soul. One rumble about looking over a sports bet or two, finding a peer of soul and eschewing it, hating beyond hope to stumble upon a personality or even a clue to character.

The microscope (diagnosed as a shrew), as Parliament opens for another act, is upon Preston Manning, the separatist who would be rock star (the joke with Paul Martin) thinks of himself as prime ministerial waiting. He will do anything to achieve that goal, even so far as to offer up his body as a sacrifice to Michael Jackson, turn me into something I was not.

The sterile Person Manning of press-conference person. The spin doctors of politics and the surgeons of the operating room have combined to hope that Pierre Trudeau Come again from reality. A charade has emerged for the real goal in life—the urban Gatorade war, or rather, where a man is available. *Brilliance of all cannot reach the Holy Grail, 24 Seasons Drive.*

It really is Presto! Manning now, hanging Hugo Boss and Armani with a single bound. Speedy from handrunner to dentist to voice coach faster than a silver bullet. One team running off the TV set hourly, so quickly does he transcendently into another being.

So far, the man who would lead us into the Promised Land has cautioned that he has had laser surgery so he can throw away those pork glasses. A heavy handrunner whose name is probably Bruce has recommended his son's best haircut and fitted his locker. He allows that he has had his teeth fixed, just a way upping his better days when she first hit Hollywood looking for a casting coach. He has had a small doctor working on his nose box, to eliminate that squeak that always gave the impression his underwear was too tight. And the boys in the back, the Edgar Bergees to this Charlie McCarthy, have shamed him into overalls and given him threads that any self-respecting milk-drinker would wear to Zoom, the latest hit Toronto pickup bar.

Now, all this arming-up of course is a politician, not even illegal—like sterilizing, liposuction or selling smokers to underage teenagers. Everybody does it, has always done it. Pierre Trudeau arrived at a Gory Gap garage in Toronto's Exhibition Stadium, to do



the traditional ceremonial McCall granted to a prime minister (or to a pope and a grand but that made him look like an artist from Montparnasse off on a lunch break).

Churchill had his famous cigar, which he brandished more than he smoked. Dwight Eisenhower, on his days at the West Point military academy, cautioned later in life that he had "studied school" for three years under the celebrated Gen. Douglas MacArthur, who tried to convert the curriculum into the presidency.

The difference to find all these towering personalities created their own images, however artificial. No hovering press agent was

required, as focus groups necessary to render their image, no super aides paving the way to a dentist here, a hair dresser there, a tailor down the block. Trudeau personally allowed the first men's store in Montreal, Benson & Benson of Sherbrooke Street, to declare an unpaid dividend. Churchill, who drew him as an untamed bear, made his famous "sore nail" for inspections at the war front into a fashion item. MacArthur never wore a tie, thus convincing the grants in the trenches that this general was one of them.

Poor Presto! has been turned into Roboman by Rick Anderson, the mid-century backroom type who was wandering in the conservatism business for one of the first silver parties before discovering that no new hawk of clay from the steeple could be converted into something that he is not. Dr. Frankenstein would create his own monster in time to become Opposition Leader for Quebec Premier, which makes right up there with the other extraordinary if it means nothing but sounds good. Background music while you're vacuuming.

The real part of this Michael Jacksonization of Person Manning is that if his teeth, hair and voice can be improved—what's to his politics? Trudeau's, Churchill's and MacArthur's essential core never varied. Trudeau still maintains his own province's demands should never be accommodated.

Churchill's constant warnings against appeasing Hitler were ignored and he had to be remembered to save Britain—and all the rest of us. MacArthur's insubordinate ego never wavered, until the little hub-cribbler president, Harry Truman, had to loosely sack him.

All the recent fuss over the elderly shrink and Lucien Beauchamp makes the point. All the top politicians are, by definition, re-centrics, not dull and ordinary types like the rest of us. Political experts such as Paul, Paul Brown are still filtering through the MacKenzie King maze.

What would a shrink do with John Diefenbaker under former circumstances? Or John Kennedy's need for daily second-guessing, with whom? At least they were convenient in their dementia.

One puzzle over the Person's surrender to the demands of his Edgar Bergees. They've produced a Roboman. Where's his inner core?



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